

1998

The Labor Law prescribes a standard 6-day workweek of 48 hours, with a 24-hour rest period per week. In practice workers in the industrial sector work an average of 35 hours a week and workers in other sectors work an average of 30 hours a week. Foreign domestic servants, mostly of Asian and African origin, often are mistreated, abused, and raped. The employment contract for a foreign worker is signed by a recruitment agency and the employer; workers rarely are a party to the contract or, if they are a party, do not know what the contract stipulates because it is written in Arabic. The passports of foreign domestic workers are confiscated by the recruitment agency or their employer when the workers arrive at the airport. Foreign domestic servants are not protected by labor laws. Domestic servants often work 18 hours per day and, in most cases, do not receive time off for vacations or holidays. There is no minimum wage for domestic servants; their average wage is about \$100 (150,000 Lebanese pounds) per month. They have no entitlement to government financial assistance. Many foreign workers leave their jobs—which is not against the law—but their employers often report them as thieves to the police in order to locate them and force them to return.

The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The Ministry of Labor is responsible for enforcing these regulations, and it does so unevenly. Labor organizers report that workers do not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons; however, the Penal Code stipulates that “any person who deprives another of freedom either by abduction or any other means shall be sentenced to temporary hard labor.” If forced prostitution or forced rendering of sexual services occurs as a result of the abduction, the Penal Code stipulates that the abductor be sentenced to at least 1 year in prison. There were no reports that persons were trafficked to, from, within, or through the country.

LIBYA

The Socialist People's Libyan Arab Jamahiriya is a dictatorship that has been ruled by Colonel Mu'ammār Al-Qadhafi (the “Brother Leader and Guide of the Revolution”) since 1969, when he led a military coup to overthrow King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a “third way” superior to capitalism and communism. Libya's governing principles are derived predominantly from Qadhafi's “Green Book.” In theory Libya is ruled by the citizenry through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qadhafi and his inner circle control political power. Qadhafi is aided by extragovernmental organizations—the Revolutionary Committees and the Comrades Organization—that exercise control over most aspects of citizens' lives. The judiciary is not independent of the Government.

Libya maintains an extensive security apparatus, consisting of several elite military units, including Qadhafi's personal bodyguards, local Revolutionary Committees, and People's Committees, as well as the “Purification” Committees, which were formed in 1996. The result is a multilayered, pervasive surveillance system that monitors and controls the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government dominates the economy through complete control of the country's oil resources, which account for almost all export earnings and approximately 30 percent of the gross domestic product. Oil revenues constitute the principal source of foreign exchange. Much of the country's income has been lost to waste, corruption, and attempts to develop weapons of mass destruction and acquire conventional weapons. Despite efforts to diversify the economy and encourage private sector participation, the economy continues to be constrained by a system of extensive controls and regulations covering prices, credit, trade, and foreign exchange. The Government's mismanagement of the economy has caused high levels of inflation, increased import prices, and hampered economic expansion, which has resulted in a decline in the standard of living for the majority of citizens in recent years. Significant increases in the world price of oil boosted petroleum revenues this year, masking the negative domestic impact of the country's economic policy.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Citizens do not have the right to change their government. Qadhafi has used extrajudicial killing and intimidation to control the opposi-

1999

tion abroad and summary judicial proceedings to suppress it at home. Security forces torture prisoners during interrogations and as punishment. Prison conditions are poor. Security forces arbitrarily arrest and detain persons, and many prisoners are held incommunicado. Many political detainees are held for years without charge. The Government controls the judiciary, and citizens do not have the right to a fair public trial or to be represented by legal counsel. The Government infringes on citizens' privacy rights, and citizens do not have the right to be secure in their homes or persons, or to own private property. The Government restricts freedom of speech, press, assembly, association, and religion. The Government imposes some limits on freedom of movement. In September the Government reportedly expelled hundreds of sub-Saharan workers following incidents of mob violence against the workers; the authorities also were accused of responding slowly to the violence. The Government prohibits the establishment of independent human rights organizations. Violence against women is a problem. Traditional attitudes and practices continue to discriminate against women, and female genital mutilation (FGM) still is practiced in remote areas of the country. The Government discriminates against and represses certain minorities and tribal groups. The Government continues to repress banned Islamic groups and exercises tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and Warfalla tribe members. The Government restricts basic worker rights, uses forced labor, and discriminates against foreign workers. There have been reports of slavery and trafficking in persons.

Colonel Qadhafi publicly called for violence against opponents of his regime after violent clashes between Islamic activists and security forces in Benghazi in September 1995. Outbreaks of violence between government forces and Muslim militants continued in the eastern part of the country. The Government encouraged reconciliation with opposition groups during the year and invited dissidents living abroad to return, promising that they would be safe. An opposition figure was appointed Ambassador to the Arab League, but few other opposition figures returned, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear.

In April 1999, the Government surrendered the two men suspected of the 1988 bombing of Pan Am flight 103 for trial before a Scottish court seated in the Netherlands. As a result, U.N. sanctions against Libya were suspended. The full lifting of the U.N. sanctions will require that Libya cooperate with the investigation, accept responsibility for the actions of its officials, pay appropriate compensation, and renounce terrorism.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—Violent clashes between the security forces and militant Islamist opposition groups increased following a lull toward the end of 1999. In the past, the clashes were concentrated predominantly in the eastern region and resulted in an undetermined number of deaths. Since a 1996 prison mutiny in Benghazi and other attacks against the regime, the Government has maintained tightened security measures. In the years following the mutiny, the Government made hundreds of arrests, conducted military operations in the areas of insurrection, and killed a number of persons.

The Government uses summary judicial proceedings to suppress domestic dissent and has used extrajudicial killings and intimidation to control the opposition abroad. Prior to 1994, there were reports that Libyan security forces hunted down and killed dissidents living abroad (see Sections 1.b. and 2.d.).

The U.N. Security Council imposed sanctions against Libya following the bombings of Pan Am flight 103 over Scotland in 1988, which killed 259 persons on board and 11 persons on the ground, and the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons. In April 1999, the Government surrendered the two men suspected of the Pan Am bombing, which prompted the suspension of U.N. sanctions against Libya. The suspects are being tried under Scottish law before a Scottish court seated in the Netherlands. Following the conclusion of the UTA trial and the appearance in the Netherlands of the two Libyan suspects in the Pan Am 103 bombing, the full lifting of the now-U.S. and British investigations; accept responsibility for the actions of its officials; pay appropriate compensation; and renounce terrorism.

In March 1999, a French court convicted in absentia the six defendants in the UTA bombing and sentenced them to life in prison. In July the Government paid the French Government \$31 million (17 million dinars) to compensate the victims' families. Family members of the UTA 772 victims now are seeking indictments of more senior officials, including Qadhafi.

2000

In late November 1999, the Government paid compensation to the British Government for the 1984 killing of British policewoman Yvonne Fletcher outside the Libyan Embassy in London.

In September mobs of citizens in several locations reportedly beat hundreds of sub-Saharan expatriate workers, attacking and, in some cases, burning their places of residence and employment. Credible reports indicate that as many as 50 individuals were killed and hundreds of others injured. The mobs blamed the expatriate population for increased crime and the appearance of HIV in Libya. Libyan security forces were criticized by many African governments for their slow reaction to these events (see Sections 2.d. and 5).

Prison conditions reportedly are poor and caused an unknown number of deaths in custody (see Section 1.c.).

b. Disappearance.—The regime in the past has abducted and killed dissidents in the country and abroad. Dissident Mansour Kikhiya disappeared from Cairo, Egypt in 1993. There is credible information that, following his abduction, Kikhiya was executed in Libya in early 1994. There have been no reports of such abductions or killings since 1994.

Prisoners routinely are held in incommunicado detention (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The law provides for fines against any official using excessive force; however, there are no known cases of prosecution for torture or abuse. Security personnel reportedly routinely torture prisoners during interrogations or for punishment. Government agents reportedly periodically detain and torture foreign workers, particularly those from sub-Saharan Africa. Reports of torture are difficult to corroborate because many prisoners are held incommunicado. In April 1999, the U.N. Committee against Torture reported that it continued to receive allegations of torture and recommended that the authorities send a clear message to all its law enforcement personnel that torture is not permitted under any circumstances.

Methods of torture reportedly include: Chaining to a wall for hours, clubbing, applying electric shock, applying corkscrews to the back, pouring lemon juice in open wounds, breaking fingers and allowing the joints to heal without medical care, suffocating with plastic bags, depriving of food and water, hanging by the wrists, suspending from a pole inserted between the knees and elbows, burning with cigarettes, attacking with dogs, and beating on the soles of the feet. In May three defendants, (two Bulgarians and one Palestinian) all health professionals in a much publicized case involving the HIV infection of nearly 400 Libyan children, claimed that their confessions had been obtained under duress (see Section 1.e.).

Prison conditions reportedly are poor. According to Amnesty International (AI), political detainees reportedly were held in cruel, inhuman, or degrading conditions, and denied adequate medical care, which led to several deaths in custody. AI reported that Mohammad 'Ali al-Bakoush, detained since 1989 without charge or trial, died in Abu Salim prison in August 1999, reportedly as a result of poor conditions of detention. Inmates protesting poor conditions mutinied in July 1996 at the Abu Salim prison. The prisoners went on a hunger strike and captured guards to protest the lack of medical care, overcrowding, and inadequate hygiene and diet provided at the facility. Security units were dispatched to suppress the uprising; as many as 100 persons were killed by security forces.

The Government does not permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile.—Security forces arbitrarily arrest and detain citizens. By law the Government may hold detainees incommunicado for unlimited periods. It holds many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees. Hundreds of political detainees, many associated with banned Islamic groups, reportedly are held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many are held for years without charge. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers (see Section 1.c.).

In 1998 security forces arrested suspected members and sympathizers of banned Islamic groups and monitored activities at mosques following violent clashes in eastern Libya. In June 1998, at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Libyan Islamic Group, an underground Islamic movement that is not known to have used or advocated violence. Some practicing

The 1994 Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. It has been enforced by the "Purification" Committees since June 1996 (see Section 1.f.). Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups, and dozens of shops and firms have been closed. As part of the campaign to implement the Purge Law, the wealth of the middle class and affluent has been targeted as well.

In March 1997, the Libyan General People's Congress approved a law that provides for the punishment of accomplices to crimes of "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The new law provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies.

In May 1997, Qadhafi declared that if any member of a family was found guilty of an offense, the individual's entire family was to be considered guilty.

The Government does not impose exile as a form of punishment, and it continued to encourage Libyan dissidents abroad to return, promising to ensure their safety; however, with the exception of the recently appointed Ambassador to the Arab League, formerly an opponent of the regime, few returned, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear. Prior to 1994, there were reports that security forces hunted down and killed dissidents living abroad (see Section 1.a.). Students studying abroad have been interrogated upon their return (see Section 2.d.).

e. Denial of Fair Public Trial.—The judiciary is not independent of the Government.

There are four levels of courts: Summary courts, which try petty offenses; the courts of first instance, which try more serious crimes; the courts of appeal; and the Supreme Court, which is the final appellate level.

Special revolutionary courts were established in 1980 to try political offenses. Such trials often are held in secret or even in the absence of the accused. In other cases, the security forces have the power to pass sentences without trial, especially in cases involving political opposition. The U.N. Special Rapporteur noted in 1996 a lack of fairness in trials of capital cases. In the past, Qadhafi has incited local cadres to take extrajudicial action against suspected opponents. In May the attorney defending 16 health professionals who were charged with infecting 400 Libyan children with HIV (see Section 1.c.) complained that he had been allowed to meet with his clients only twice since their incarceration. The defendants (nine Libyans, one Palestinian and six Bulgarians) were arrested in January 1999.

A large number of offenses, including political offenses and "economic crimes," are punishable by death. A 1972 law mandates the death penalty for any person associated with a group opposed to the principles of the revolution, as well as for other acts

such as treason, attempting to change the form of government by violence, and premeditated murder. The "Green Book" of 1988 states that "the goal of the Libyan society is to abolish capital punishment"; however, the Government has not acted to abolish the death penalty, and its scope has increased. In 1996 a law went into effect that applies the death penalty to those who speculate in foreign currency, food, clothing, or housing during a state of war or a blockade, and for crimes related to drugs and alcohol.

In 1997 two civilians and six army officers were executed: The civilians by hanging and the army officers by firing squad. At least five others were given prison sentences, all convicted on charges of being American spies, committing treason, cooperating with opposition organizations, and instigating violence to achieve political and social goals. The eight executed men were arrested with dozens of others in connection with a coup attempt by army units composed of Warfalla tribe members in October 1993. The men were convicted by the Supreme Military Court and reportedly did not have lawyers for their trial. The convicted persons allegedly were kept in secret locations and tortured throughout their incarceration to obtain confessions of criminal activity.

The U.N. Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions noted in 1996 "the apparent lack of respect for fair trial standards in trials leading to the imposition of capital punishment in Libya."

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

The Government holds a large number of political prisoners. Amnesty International estimates that there are hundreds of persons imprisoned for political reasons.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Government does not respect the right to privacy. Security agencies often disregard the legal requirement to obtain warrants before entering a private home. They also routinely monitor telephone calls.

The security agencies and the Revolutionary Committees oversee an extensive network of informants; one credible foreign observer estimated that 10 to 20 percent of the population was engaged in surveillance for the regime. Libyan exiles have reported that family ties to suspected regime opponents may result in government harassment and detention. The Government may seize and destroy property belonging to “enemies of the people” or those who “cooperate” with foreign powers. In the past, citizens have reported that the Government warned members of the extended family of any regime opponent that they, too, risk the death penalty.

The law passed by the General People’s Congress in March 1997 formally codified the Government’s previous threats of punishment for families or communities that aid, abet, or do not inform the regime of criminals and oppositionists in their midst (see Section 1.d.).

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as “the fruits of exploitation or corruption.” In 1996 the Government ordered the formation of hundreds of “Purge” or “Purification” Committees composed of young military officers and students. The Purification Committees reportedly seized some “excessive” amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor, in an effort to appease the populace and to strengthen the Government’s power and control over the country. The activities of the Purification Committees continued during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The authorities tolerate some difference of opinion in People’s Committee meetings and at the General People’s Congress; however, in general they severely limit freedom of speech. This is especially true with regard to criticism of Qadhafi or his regime. The occasional criticism of political leaders and policies in the state-controlled media, which does occur is interpreted as a government attempt to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi.

The regime restricts freedom of speech in several ways: By prohibiting all political activities not officially approved, by enacting laws so vague that many forms of speech or expression may be interpreted as illegal, and by operating a pervasive system of informants (see Section 1.f.) that creates an atmosphere of mistrust at all levels of society.

The State owns and controls the media. There is a state-run daily newspaper, *Al-Shams*, with a circulation of 40,000. Local Revolutionary Committees publish several smaller newspapers. The official news agency, JANA, is the designated conduit for official views. The regime does not permit the publication of opinions contrary to government policy. Such foreign publications as *Newsweek*, *Time*, the *International Herald Tribune*, *L’Express*, and *Jeune Afrique* are available, but authorities routinely censor them and may prohibit their entry into the market.

Technology has made the Internet and satellite television widely available in Libya. According to numerous anecdotal reports, both are accessed easily in Tripoli.

The Government restricts academic freedom. Professors and teachers who discuss politically sensitive topics face a risk of government reprisal.

b. Freedom of Peaceful Assembly and Association.—Public assembly is permitted only with regime approval and in support of the regime’s positions.

Despite these restrictions, members of the Warfalla tribe staged several informal protests in 1995 against the regime’s decision to carry out the death penalty against tribe members involved in the 1993 coup attempt. The Government responded by arresting hundreds of tribe members and expelling others from the military and security forces. In January 1997, eight Warfalla tribe members arrested for involvement in the 1993 coup attempt were executed, and at least five others were given prison sentences for allegedly being American spies (see Section 1.a.).

The last display of public discontent and resentment towards the Government occurred when a riot broke out over a penalty called at a soccer match in Tripoli in 1996. The rare instance of public unrest began when a contentious goal was scored

by the team that Qadhafi's sons supported, and the referee called the play in their favor. The spectators reportedly started chanting anti-Qadhafi slogans after the referee made the call, and Qadhafi's sons and their bodyguards opened fire in the air, then on the crowd. The spectators panicked and stampeded out of the stadium and into the streets, where they stoned cars and chanted more anti-Qadhafi slogans. The Government officially admitted that 8 persons died and 39 were injured as a result of the soccer riots, but there were reports of up to 50 deaths caused by the gunfire and the stampede of the crowd. There is speculation that this year's mob violence against sub-Saharan guest workers (see Sections 1.a. and 5) reflects dissatisfaction with the Government's efforts to enhance ties to Africa, particularly the decisions to relax immigration controls on sub-Saharan workers and to funnel greater economic assistance to African nations.

The Government limits the right of association; it grants such a right only to institutions affiliated with the regime. According to a 1972 law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion.—The Government restricts freedom of religion. The country is overwhelmingly Sunni Muslim. In an apparent effort to eliminate all alternative power bases, the regime has banned the once powerful Sanusiyya Islamic sect. In its place, Qadhafi established the Islamic Call Society (ICS), which is the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also is responsible for relations with other religions, including Christian churches in the country. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducts activities, suggesting that the organization remains operational. Islamic groups whose beliefs and practices are at variance with the state-approved teaching of Islam are banned. Although most Islamic institutions are under state control, some mosques are endowed by prominent families; however, they generally follow the government-approved interpretation of Islam.

According to recent reports, individuals rarely are harassed because of their religious practices, unless such practices are perceived as having a political motivation. In June 1998, at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Libyan Islamic Group, an underground Islamic movement that is not known to have used or advocated violence. Some practicing Muslims have shaved their beards to avoid harassment from security services. Qadhafi has criticized publicly Libyan "mujaheddin" (generally, conservative Islamic activists who fought with the Afghan resistance movement against Soviet forces) as threats to the regime (see Section 1.d.). Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities. The authorities reportedly have failed to honor a promise made in 1970 to provide the Anglican Church with alternative facilities when they took the property used by the Church. Since 1988 Anglicans have shared a villa with other Protestant denominations. Christians are restricted by the lack of churches; there is a government limit of one church per denomination per city. There are two resident Catholic bishops, and a small number of priests. In March 1997, the Vatican established diplomatic relations with Libya, stating that Libya had taken steps to protect freedom of religion. The Vatican hoped to be able to address more adequately the needs of the estimated 50,000 Catholics in the country.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.—The Government usually does not restrict the internal movement of citizens but has imposed blockades on those cities and regions (primarily in the east) where antigovernment attacks or movements originate. In 1996 after the escape of some 400 prisoners—during which residents purportedly harbored escapees—the town of Darnah was sealed off by government troops and also had its water and electricity cut off.

The Government requires citizens to obtain exit permits for travel abroad and limits their access to hard currency. A woman must have her husband's permission to travel abroad (see Section 5). Authorities routinely seize the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The regime has called on students, many of whom receive a government subsidy, and others working abroad, to return to Libya on little or no notice. Students studying abroad have been interrogated upon their return. Prior to 1994, there were reports that Libyan security forces hunted down and killed dissidents living abroad (see Section 1.a.).

The Government has expelled noncitizens arbitrarily (see Section 6.e.). There were reports that in September the Government expelled hundreds of sub-Saharan workers following incidents of mob violence (see Section 1.a. and 5). Government authori-

ties placed noncitizen, primarily sub-Saharan guest workers in hastily built camps pending their repatriation to their countries of origin. While there were no reports of mistreatment associated with these camps, sanitary conditions and access to health care reportedly were poor.

In April 1998, the Government accused at least 10 Tunisians of suspected membership in, or support for, the Islamist group An-Nadha, which is banned in Tunisia for activities in opposition to the Tunisian Government, and forcibly returned them to Tunisia, where they reportedly were subjected to abuse. In 1995 the Government expelled approximately 1,000 Palestinian residents to indicate its displeasure with the signing of the Interim Agreement between Israel and the Palestine Liberation Organization. The Palestinians resorted to living in makeshift camps along the Egyptian border. The Government subsequently allowed them to return, but over 200 Palestinians elected to remain in the border camps, hoping to travel to the West Bank and Gaza or resettle in Egypt. The governments of Egypt and Israel refused to accept them, leaving them stranded in the deteriorating and squalid conditions of the once temporary border encampments. They were removed forcibly from their encampments to another location within the country by police and military authorities in April 1997.

The Government expelled 132 Algerians in November 1997 (see Section 6.e.).

While the country has acceded to the 1969 Organization of African Unity Convention on refugees, the law does not include provisions for granting asylum, first asylum, or refugee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government does not grant such status. The U.N. High Commissioner for Refugees (UNHCR) reported that by December, there were approximately 33,000 refugees in the country, including some 30,000 Palestinians, 3,000 Somalis, and 100 of other nationalities. During the year, UNHCR assisted approximately 1,000 of the most vulnerable refugees in the country and supported income-generating programs for refugee women. The Government provided housing for approximately 850 Somali refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Major government decisions are controlled by Qadhafi, his close associates, and committees acting in his name. Political parties are banned. Qadhafi appoints military officers and official functionaries down to junior levels. Corruption and favoritism, partially based on tribal origin, are major problems that adversely affect government efficiency.

In theory popular political participation is provided by the grassroots People's Committees, which are open to both men and women, and which send representatives annually to the national General People's Congress (GPC). In practice the GPC is a rubber stamp that approves all recommendations made by Qadhafi.

Qadhafi established the Revolutionary Committees in 1977. These bodies consist primarily of youths who guard against political dissent. Some Committees have engaged in show trials of regime opponents; in other cases, they have been implicated in the killing of opponents abroad. The Committees approve all candidates in elections for the GPC.

There is no reliable information on the representation of women and minorities in the Government.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations. Instead it created the Libyan Arab Human Rights Committee in 1989. The Committee is not known to have published any reports.

The regime has not responded substantively to appeals from Amnesty International on behalf of detainees. In 1994 the regime characterized Amnesty International as a tool of Western interests and dismissed its work as neocolonialist; its representatives last visited Libya in 1988.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government does not enforce these prohibitions, particularly discrimination against women and tribal minorities.

Women.—Although there is little detailed information on the extent of violence against women, it remains a problem. In general the intervention of neighbors and extended family members tends to limit the reporting of domestic violence. Abuse within the family rarely is discussed publicly, due to the value attached to privacy in society.

The 1969 Constitutional Proclamation granted women total equality. Despite this legal provision, traditional attitudes and practices prevail, and discrimination against women persists and keeps them from attaining the family or civil rights formally provided them. A woman must have her husband's permission to travel abroad (see Section 2.d.).

Although their status is still not equal to that of men, most observers agree that, with the advent of oil wealth in the 1970's, the opportunity for women to make notable social progress has increased. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government all have contributed to the creation of new employment opportunities for women. In recent years, a growing sense of individualism in some segments of society, especially among the educated young, has been noted. For example, many educated young couples prefer to set up their own households, rather than move in with their parents, and view polygyny with scorn. Since the 1970's, educational differences between men and women have narrowed.

In general the emancipation of women is a generational phenomenon: Urban women under the age of 35 tend to have more "modern" attitudes toward life and have discarded the traditional veil; at the same time, older urban women tend to be more reluctant to give up the veil or traditional attitudes towards family and employment. Moreover, a significant proportion of rural women still do not attend school and tend to instill in their children such traditional beliefs as women's subservient role in society.

Employment gains by women also tend to be inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace and by the resurgence of Islamic fundamentalist values. Some observers have noted that even educated women tend to lack self-confidence and social awareness and seek only a limited degree of occupational and social participation with men.

Children.—The Government subsidizes education (which is compulsory to age 15) and medical care and has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services. Some nomadic tribes located in remote areas still practice female genital mutilation (FGM) on young girls, a procedure that is widely condemned by international health experts as damaging to both physical and psychological health.

People with Disabilities.—No information is available on the Government's efforts to assist the disabled.

National/Racial/Ethnic Minorities.—Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constitute 97 percent of the population. The principal minorities are Amazighs and blacks. There are frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government has manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also has attempted to keep the tribes fractured by pitting one against another.

Foreigners constitute a significant part of the workforce. Sub-Saharan Africans in particular have become targets of resentment, and in September mobs of citizens in several locations reportedly beat hundreds of sub-Saharan workers, attacking and, in some cases, burning their places of residence and employment. Credible reports indicate that as many as 50 individuals were killed, and hundreds of others injured. The mobs blamed the expatriate population for increased crime and the appearance of HIV in Libya. Libyan security forces were criticized by many African governments for their slow reaction to these events (see Section 5).

Section 6. Worker Rights

a. The Right of Association.—Independent trade unions and professional associations are prohibited, and workers do not have the right to form their own unions. The regime regards such structures as unacceptable "intermediaries between the revolution and the working forces." However, workers may join the National Trade Unions' Federation, which was created in 1972 and is administered by the People's Committee system. The Government prohibits foreign workers from joining this organization.

The law does not provide workers with the right to strike. In a 1992 speech, Qadhafi affirmed that workers have the right to strike but added that strikes do not occur because the workers control their enterprises. There have been no reports of strikes for years.

The official trade union organization plays an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. The Arab Maghreb Trade Union Federation suspended the membership of Libya's trade union organization in 1993. The suspension followed reports that Qa-

dhafi had replaced all union leaders, in some cases with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively.—Collective bargaining does not exist in any meaningful sense, because labor law requires that the Government must approve all agreements.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—In its report this year, the Committee of Experts of the International Labor Organization's (ILO) stated that in Libya "persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment," including "an obligation to perform labor." The ILO report also noted that public employees may be sentenced to compulsory labor "as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population."

There have been credible reports that the Government arbitrarily has forced some foreign workers into involuntary military service or has coerced them into performing subversive activities against their own countries. Libyans, despite the Penal Code's prohibition on slavery, have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment of children is 18, although when Libya ratified ILO Convention 138 on Minimum Age for Employment in 1975, the minimum age specified was 15. Education is compulsory to age 15. There is no information available on the prevalence of child labor, or on forced or bonded labor by children.

e. Acceptable Conditions of Work.—The labor force consists of approximately 1.2 million (1995 estimate) workers, including a significant, but unknown number of expatriate workers (in a population of 6 million). Wages, particularly in the public sector, frequently are in arrears. A public sector wage freeze imposed in 1981 remains in effect and has eroded real income significantly, particularly in the face of consistently high inflation. There is no information available regarding whether the average wage is sufficient to provide a worker and family with a decent standard of living.

The legal maximum workweek is 48 hours. The Labor Law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

Although foreign workers constitute a significant percentage of the work force, the Labor Law does not accord equality of treatment to them. Foreign workers may reside in the country only for the duration of their work contracts and may not send more than half of their earnings to their families in their home countries. They are subject to arbitrary pressures, such as changes in work rules and contracts, and have little option but to accept such changes or to depart the country. Foreign workers who are not under contract enjoy no protection.

In 1997 the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a v-1a,rtic to ageuls labmsch ad sort of thes lrk-

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There have been reports of trafficking in persons. Libyans have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan.

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The Constitution provides for a monarchy with a Parliament and an independent judiciary; however, ultimate authority rests with the King, who presides over the Council of Ministers, appoints all members of the Government, and may, at his discretion, terminate the tenure of any minister, dissolve the Parliament, call for new elections, and rule by decree. The late King Hassan II, who ruled for 38 years, was succeeded by his son, King Mohammed VI, in July 1999. Since the constitutional reform of 1996, the bicameral legislature consists of a lower house, the Chamber of Representatives, which is elected through universal suffrage, and an upper house, the Chamber of Counselors, whose members are elected by various regional, local, and professional councils. The councils' members themselves are elected directly. The lower house of Parliament also may dissolve the Government through a vote of no confidence. In March 1998, King Hassan named a coalition government headed by opposition socialist leader Abderrahmane Youssoufi and composed largely of ministers drawn from opposition parties. Prime Minister Youssoufi's Government is the first government drawn primarily from opposition parties in decades, and also represents the first opportunity for a coalition of socialist, left-of-center, and nationalist parties to be included in the Government. The November 1997 parliamentary elections were held amid widespread, credible reports of vote buying by political parties and the Government, and excessive government interference. The fraud and government pressure tactics led most independent observers to conclude that the results of the election were heavily influenced, if not predetermined, by the Government. After a long appeals process, some of the results were overturned by the Constitutional Council during the year and new by-elections were held. In September the Government reported that various political parties had engaged in vote-buying and fraud during indirect elections to replace one-third of the 270 seats in the Chamber of Counselors, Parliament's upper house. The Government criticized the electoral corruption, indicating that it would investigate and prosecute those concerned; however, few of the cases involving electoral fraud had been presented before the courts or prosecuted by year's end. The judiciary historically has been subject to bribery and government influence; however, the Youssoufi Government continued to implement a reform program to develop greater independence and impartiality.

The security apparatus includes several overlapping police and paramilitary organizations. The Border Police and the National Security Police are departments of the Ministry of Interior, the Judicial Police falls under the jurisdiction of the Ministry of Justice, and the Royal Gendarmerie reports to the Palace. Some members of the security forces continued to commit serious human rights abuses.

The economy is based on large phosphate reserves, a diverse agricultural sector, fisheries, a sizable and growing tourist industry, a growing manufacturing sector (especially textiles), and a dynamic, deregulated telecommunications sector. There are considerable remittances from citizens working abroad. The illegal production and export of cannabis also is a significant economic activity, particularly in the north. Economic growth is highly dependent on agricultural output, which has been affected adversely by 2 consecutive years of worsening drought. According to the Government's statistics, the real gross domestic product (GDP) shrank by 0.7 percent in 1999. A similar outcome is estimated for 2000.

The Government generally respected the rights of its citizens in most areas; however, the Government's record was generally poor in a few areas, and there were some notable setbacks. Citizens do not have the full right to change their government. While then-King Hassan II's appointment of a first-ever opposition coalition government in 1998 marked a significant step toward democratization, officially recognized corruption and votebuying in the September Chamber of Counselors elections constituted a notable setback. There were reports of several suspicious deaths in police custody. Some members of the security forces occasionally tortured or otherwise abused detainees, and beat protesters on numerous occasions. Despite some progress by the Government, human rights groups continue to call for full disclosure of all available information concerning citizens abducted by the Government from the 1960's through the 1980's. Despite significant efforts by the Government, prison conditions remain harsh. Authorities sometimes arbitrarily arrest and detain persons. The judiciary historically has been subject to corruption and Interior Ministry

2008

influence; however, the Government continued to implement judicial reforms in order to increase the level of the judiciary's independence and impartiality. Nonetheless, human rights organizations and activists alleged a lack of due process in several high-profile court trials, including 2 controversial military court trials involving an air force captain who, after criticizing corruption in the military to a foreign news publication, ultimately was sentenced to 2.5 years in prison for violating the Military Code; five Sahrawi youths who, after being arrested in Laayoune for throwing stones at police, were sentenced to 5 to 10 years' imprisonment for forming a criminal association; and unemployed graduates who were detained during protests in Rabat in June. At times authorities infringed on citizens' privacy rights. The Government's record on press freedom was inconsistent during the year. While the Government permitted extensive coverage of formerly taboo topics it systematically restricted press freedom on several specific topics that it considers sensitive, and on which journalists continue to practice self-censorship, including criticism of the Monarchy, Morocco's claim to the Western Sahara, and the sanctity of Islam. It appeared that the Government also increased restrictions on both domestic and international media to prevent reporting on some topics with the potential to reflect negatively on the country's international image. The Government censored and banned at least 12 domestic and foreign publications during the year. On December 2, Prime Minister Youssoufi used the highly controversial and longcriticized Article 77 of the Press Code to ban three investigative weekly newspapers. The Government limited freedom of assembly and association. In numerous incidents during the year, police beat and violently dispersed demonstrators. The Government limited freedom of religion. Although non-Muslim foreigners may practice their religions freely, missionaries who proselytize face expulsion, and converts from Islam to other religions continue to experience social ostracism. The Government monitors the activities of mosques. During the summer, the Government prevented members of an Islamist group, whose leader has questioned the legitimacy of the Monarchy, from gaining access to campgrounds and beaches for group prayer sessions, and arrested and jailed some of the group's members. The Government at times restricts freedom of movement and withholds the granting of passports for foreign travel. Domestic violence and discrimination against women are common. Teenage prostitution is a problem in urban centers. Berbers face cultural marginalization, and continue to press the Government to preserve their language and culture. Unions are subject to government interference, child labor also is a problem, and the Government has not acted to end the plight of young girls who are subjected to exploitative and abusive domestic servitude.

However, there was further progress on some important human rights issues during the year. In February and August, the courts sentenced to prison terms five members of the security forces who were convicted for their involvement in the beating deaths of prisoners. In order to implement reforms enacted into law in 1999, the National Prison Administration initiated a series of activities to improve living conditions inside prisons, including the construction of family visitation centers, manual skills training facilities, and visits by various entertainers. In July the Royal Arbitration Commission that the King established in 1999 to indemnify former political prisoners and their families, released an initial grant of compensation totaling approximately \$14 million (140 million dirhams), which benefited 68 victims or their families; some of the grant money went to Sahrawis from the Western Sahara who were in need of urgent provisional financial and medical aid. The July compensation also supplemented an initial Government allotment to the commission of roughly \$4 million (40 million dirhams) in April that went to meet the urgent medical needs of 39 former prisoners and their survivors. The Government continued to clear a backlog of unenforced legal judgments from previous years. In May the Government allowed Islamist dissident Sheik Abdessalam Yassine to leave his home after 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II. The Constitutional Council overturned a number of election results considered fraudulent from the 1997 legislative elections, as well as results from a by-election held in June. The King appointed the Monarchy's first female royal counselor in March and confirmed the appointment of the first female minister in September. In May the Government accorded "public utility" status, which confers organizations with financial benefits as recognition of their serving the public interest, to two of the country's leading human rights organizations, the Moroccan Association for Human Rights (AMDH) and the Moroccan Organization for Human Rights (OMDH). In October the Government permitted an organization of former political detainees, as well as hundreds of human rights activists, to travel to and hold a remembrance ceremony at the notorious former secret detention center of Tazmamart, whose existence the authorities formerly denied. Throughout the year, the Human Rights Ministry held numerous human-rights-awareness training

2009

sessions with teachers and some police personnel, and the Government increased its efforts to introduce human rights as a core subject of the national school curriculum. In September the Government hosted a human rights training seminar for representatives of Arab governments and nongovernmental organizations (NGO's) in the Arab world. During her visit in April to attend an international conference on national human rights institutions and open a U.N.-sponsored human rights information center, U.N. High Commissioner for Human Rights Mary Robinson said that while there were still problems to resolve, the country had achieved "significant progress" in human rights over the past 2 years. In January the Human Rights Ministry announced an agreement with the Moroccan Barristers Association to open a network of legal support centers for victims of domestic violence.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political killings. According to a report in the February newsletter of the AMDH, Ali Akzkane died on January 4 under suspicious circumstances, while in police custody in the southern town of Tiznit, after being apprehended during an attempted robbery. In response to a January 13 newspaper article that called attention to the AMDH's report and its request for a government investigation, the Inspector General of the National Security Police in early March denied accusations of police malfeasance in the death. According to the Inspector General, Akzkane committed suicide in his jail cell 2 hours after being incarcerated, and authorities immediately notified the public prosecutor and regional doctor. An investigation ensued and, according to the Inspector General, discussions with Akzkane's family revealed that he had been suffering from depression. Results of the autopsy reportedly attributed Akzkane's death to suicide. According to the AMDH, it was contacted by the Government regarding the affair in September and told that the authorities were reviewing the case. There were no results in the investigation by year's end (see Section 1.c.).

The AMDH's bureau in Taounate (outside of Fez) reported suspicious circumstances in the death of Mustapha Najiaji, after a Royal Armed Forces patrol took him and another citizen into custody at 2 a.m. on July 12; the press reported that security forces detained the two for public drunkenness and possession of illegal narcotics. According to the second citizen, the patrol took him and Najiaji to a "bechouia" (an administrative center under the jurisdiction of the Interior Ministry that contains holding cells) and beat them until 3 a.m. The security forces subsequently freed the second citizen after Najiaji fell down, lost consciousness, and stopped breathing. According to the AMDH report, at 4 a.m. the security forces at the bechouia notified the public prosecutor that they had found Najiaji dead in his cell from a suicide by hanging. The second citizen reportedly alleged in his testimony to the public prosecutor that Najiaji died from beatings at the hands of the security forces. According to the AMDH, the prosecutor general of Fez orally transmitted the autopsy results to Najiaji's family, and the family's lawyer reportedly had access to the results; the results reportedly made reference to Najiaji having been the victim of violence before his death. The AMDH expressed concern over the slow handling of the case, which reportedly was pending with the general prosecutor at the military court in Rabat at year's end. The Royal Armed Forces patrol members involved in the case were not yet charged by year's end (see Section 1.c.).

On November 27, security forces reportedly used violent means to break up a 5-day sit-in strike at a canning factory in the southern city of Agadir. The attack reportedly resulted in the death of one worker and injuries to eight others. Conflicting reports attributed the death to either police abuse or "natural causes" (see Sections 1.c., 1.d., 2.b., and 6.a.).

In their annual human rights report for 1999, which was released in late January, the AMDH called on the Government "to resolve definitively and urgently the issue of deaths inside and outside police stations and posts of the Gendarmerie."

A police officer and two members of the Interior Ministry's auxiliary forces were arrested in connection with the beating death of Farah Mohammed near Oujda in August 1999. The public prosecutor at Oudja's court of appeal subsequently ordered an investigation. Farah Mohammed was stopped by police authorities for questioning in connection with contraband trafficking of fuel across the Moroccan border with Algeria. Eyewitnesses said that the police beat and kicked him into unconsciousness at the time he was detained. He died in police custody. Farah Mohammed's parents lodged an immediate complaint with gendarmerie authorities as soon as they learned of their son's death, which led to the immediate arrest of the police

and military auxiliary officers allegedly involved in the beating. The trial in the case still reportedly was pending at year's end.

In August an appeals court in Settat (south of Casablanca) convicted an auxiliary member of the security forces to 12 years' imprisonment and a fine of approximately \$6,000 (60,000 dirhams) for the beating death of mint vendor Abdelaziz Warret in June 1999. Two other auxiliary members of the security forces involved in the beating death were sentenced to 4 months in prison. According to press reports in June 1999, police in Berrechid arrested Warret, confiscated his merchandise, and beat him until he fainted. He died later at a hospital. When his family went to claim the body and to obtain a death certificate, doctors refused to issue one. No explanation was given for his arrest. An autopsy subsequently performed during the investigation into Warret's death revealed that he died from internal hemorrhaging caused by the beating.

In February a court in Tangiers convicted two police officers of manslaughter in the 1996 beating death of a citizen returning from Holland. According to reports of witnesses, port police stopped Mohamed El-Feddaoui in Tangiers as he disembarked from a car ferry in his automobile. The witnesses claim that El-Feddaoui subsequently was taken to the police station and tortured to death by two police officers. The two officers reportedly had been instructed by the port's police commissioner to detain and torture Feddaoui. Both of the police officers received 10 years' imprisonment for violence resulting in manslaughter. The court sentenced the port police commissioner to 8 years' imprisonment for abusive detention and denial of his complicity in the crime. The court also ordered all three to pay approximately \$35,000 (350,000 dirhams) each to Feddaoui's estate. According to press reports, the AMDH principally was responsible for furnishing testimony in the case (see Section 1.c.).

In September the court of appeal in Safi (south of Casablanca) resumed a long-delayed case and summoned three police officers charged with manslaughter in the 1996 death of Hassan Mernissi. According to Mernissi's family, he was killed by the three police officers while in incommunicado ("garde-a-vue") detention in Safi's central police station. Police reportedly had stopped Mernissi for drunkenness. According to a lawyer representing Mernissi's family, witnesses present in the police station at the time alleged that Mernissi was beaten to death while in detention. The police officers maintained that the allegedly drunk Mernissi knocked his head against the bars of his cell until he died. The autopsy indicated that Mernissi bled to death. Before the case was heard by court of appeal in Safi in early 1999, it remained in the pretrial investigation stage for over 2 years. In consideration of the Ramadan holiday, in December the trial was postponed again until March 2001.

Human rights groups allege that poor medical care in prisons results in unnecessary deaths; however, the Justice Ministry in 1999 assigned more doctors to prisons in an effort to improve prison health facilities. However, resource constraints continue to contribute to harsh conditions, including extreme overcrowding, malnutrition, and lack of hygiene. Throughout the year, the National Prison Administration continued to allow numerous site visits by members of Parliament, the press, human rights groups, and foreign diplomats (see Section 1.c.).

b. Disappearance.—There were no new cases of confirmed disappearance for the fifth consecutive year; however, the AMDH claimed during the year that the continued practice of incommunicado detention without informing the family members of those detained (see Section 1.d.) was evidence of the continued practice of forced disappearance. While the forced disappearance of individuals who opposed the Government and its policies occurred over several decades, the Youssef Government, upon taking office, pledged that such policies would not recur, and that it would disclose as much information as possible on past cases. Many of those who disappeared were members of the military who were implicated in attempts to overthrow the Government in 1971 and 1972. Others were Sahrawis or Moroccans who challenged the Government's claim to the Western Sahara or other government policies. Many of those who disappeared were held in secret detention camps. While the Government in recent years quietly released several hundred persons who had disappeared, including a release of about 300 such detainees in June 1991, and although in October 1998 it issued an announcement on those who disappeared, to this day hundreds of Saharan and Moroccan families do not have any information about their missing relatives, many of whom disappeared over 20 years ago. No explanation for their incarceration has ever been provided. Local human rights monitors have concluded that many others died while at the notorious Tazmamart prison, which the Government since has closed. The Government has acknowledged 34 of these deaths and has provided death certificates to the families of all but 1 of the 34 who died.

In October 1998, in response to a directive issued by then-King Hassan II that all human rights cases be resolved "within 6 months," the Royal Consultative Council on Human Rights (CCDH) announced the release of information on 112 cases of

disappearances. According to the Council, 56 of the 112 who disappeared were deceased; family members of 33 of the deceased received death certificates from the Government. The Council added that eight persons believed to have disappeared were alive and living abroad, and that four were alive and in Morocco. Of the remaining 44, the Council stated that it had no further information. Human rights groups and families pointed out discrepancies between their lists and those of the Government, asked the Government for more data regarding these cases, and demanded full explanations of the causes and circumstances of these deaths and disclosure of the identities of those responsible. Some family groups claim that the Government is not divulging details on at least 50 more cases. In November 1998, the Council began meetings in various provinces with groups representing families of persons who had disappeared in order to collect data on their grievances and to conduct further research into the fate of those who remain missing. In April 1999, the Council announced that it would indemnify the 112 victims of politically motivated disappearances. Human rights NGO's disputed the Council's findings, claiming that they had compiled a list of over 600 potential cases of such disappearances from the 1960's through the 1980's. The NGO's called for the immediate release of all remaining political prisoners, disclosure of the fate of those whose cases the Council did not examine, delivery of the remains of the deceased to their families, compensation for victims and their families, and punishment for those responsible. On July 17, the Paris-based International Federation of Human Rights Leagues (FIDH) published a communique in which it estimated the number of persons who had disappeared in Morocco alone to be "between nearly 600 and several thousand." The FIDH claimed that disappearances of Sahrawis in the Western Sahara could number up to 1,500, although conditions in the territory prevented full confirmation of this figure. In October the Government for the first time permitted an organization of former political detainees, as well as hundreds of human rights activists, to travel to and hold a remembrance ceremony at the notorious former secret detention center at Tazmamart, whose existence the authorities formerly denied (see Section 2.a.).

In August 1999, in one of his first official acts, King Mohammed VI established a new royal commission responsible for increasing the Government's efforts to resolve the issue of those who had disappeared and to reach an accommodation with former political prisoners and members of their families. The new commission met with some family members and local human rights organizations and began to draw up guidelines for the resolution of issues involving individuals who had disappeared.

Following up on the CCDH's December 1999 announcement to distribute advance partial compensation to the neediest victims of forced disappearance and arbitrary detention, Prime Minister Youssoufi declared before Parliament in January that his government would compensate financially the most urgent cases first. Youssoufi's announcement came after the passing of the Government's January 1 deadline for receipt of compensation claims from former detainees and their survivors by the Royal Arbitration Commission working under the auspices of the CCDH. The number of claims filed totaled approximately 5,900. Human rights organizations contested the nature of the compensation process, particularly the composition of the Arbitration Commission, which they claimed lacked independence; the lack of transparency in the commission's decision-making processes; and the condition imposed by the commission that those filing claims must accept the commission's findings as final, without appeal. In April the CCDH announced the Government's allocation of a provisional compensation fund totaling approximately \$4 million (40 million dirhams), as well as initial provisional compensation for 31 of the neediest former prisoners who had been held in the notorious Tazmamart prison, and 8 of the prisoners' surviving family members. Each prisoner or surviving family member received up to approximately \$14,500 (145,000 dirhams), a sum designed to cover urgent medical and financial expenses caused by extended imprisonment. In July the Royal Arbitration Commission announced final compensation settlements for 68 cases (benefiting 354 persons, including some of those provisionally compensated in April) that totaled approximately \$14 million (140 million dirhams). Former prisoners or their survivors were designated to receive between \$25,000 and \$350,000 (250,000 and 3,500,000 dirhams). In July the Arbitration Commission began distributing preliminary compensation payments to some of the Sahrawis from the Western Sahara who had disappeared or been detained, and their family members. As with the April allotment, the Government stated that it intended these initial payments as provisional compensation to cover urgent medical and financial expenses for needy Sahrawis or their surviving family members who appealed for compensation from the Commission by December 31, 1999. The Government announced that additional compensation in the form of final settlements could be distributed pending the review by the Commission of petitions submitted by Sahrawi claimants.

Critics of the arbitration process continued to criticize the Commission, claiming that its composition lacked independence and that the Commission's stipulation that all of its decisions were final was unfair. Numerous former prisoners and their survivors refused to file a claim. Others criticized the small number of cases settled, citing that over 5,800 cases remained. In the absence of disclosure by the Government explaining its role in past disappearances, the Moroccan Forum for Truth and Justice (FMVE—created by victims of forced disappearance and their surviving family members) continued to argue that the compensation process alone was inadequate to redress past government actions; it requested the Government to go beyond compensation to facilitate conciliation between citizens and the Government through publicized investigations into disappearances and arbitrary detentions. After the July compensation settlement was announced, the OMDH issued a communique calling for more transparency during the arbitration process. According to the OMDH, "the fact of not communicating these measures at the opportune time, even though the measures were limited, helped sow ambiguity and misinformation, which the issue could have done without." In speeches given in July and December, King Mohammed VI addressed criticisms of the compensation process by announcing imminent reform of the CCDH. According to the King, the CCDH's composition, responsibilities, and work structure would be changed. None of the King's proposed changes had been implemented by year's end.

There were no developments in the disappearance of Abdullah Sherrouq, a student who reportedly was detained by security services on June 22, 1981. After 19 years, his family has been unable to learn anything of his whereabouts or his fate, despite appeals by Amnesty International (AI). In 1998 the CCDH listed Sherrouq as 1 of the 112 cases of disappearance acknowledged by the Government; according to the council, Sherrouq disappeared in undetermined circumstances; he was 1 of the 44 for whom the Government said it possessed no further information.

Associations that seek information on those who have disappeared, including the FMVE, an executive coordinating committee of former Sahrawi political prisoners, and a group specifically representing Tazmamart prison survivors, operate openly, and call upon the Government for full disclosure of events surrounding cases that date back to the 1960's. Several front-page articles in newspapers affiliated with parties in the governing coalition called at various times during the year for full disclosure on all outstanding cases of disappearance. The associations also call for compensation to families of those who have disappeared, death certificates and the return of the remains of those who died, and prosecution of responsible officials. The Government has indicated that it would be more open about providing information on these past cases, and met with the FMVE on a number of occasions during the year to discuss its concerns. Throughout the year, FMVE leaders also met with the CCDH and leaders of national political parties. However, according to press reports in August, the FMVE's leadership claimed that political parties were hesitant to help them address the problem of past disappearances. Associations in the Western Sahara that seek information on disappearances do not operate free from government interference; there were reports that some members of these associations were harassed and intimidated while seeking information on missing Sahrawis. Some also continue to be denied passports (see Section 2.d.).

Until July the Government paid a monthly stipend of \$500 (5,000 dirhams) to 28 former prisoners who survived 18 to 20 years in solitary confinement under harsh conditions at Tazmamart prison in connection with the coup attempts in 1971 and 1972. After their release, the Government prohibited them from speaking out publicly about their detention. In exchange the Government gave the former prisoners assurances that it would help them find jobs and reintegrate them into society; however, none of them has obtained government assistance in this regard, and some complain of being denied voter cards and passports. After the final compensation settlement package from the Royal Arbitration Commission to the 31 former Tazmamart prisoners in July, the authorities ceased distributing the monthly stipends to the 28 who had been kept in solitary confinement.

c. Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.—The law prohibits torture, and the Government claims that the use of torture has been discontinued; however, some members of the security forces still torture or otherwise abuse detainees. The Penal Code requires capital punishment for perpetrators who commit acts of torture or "acts of barbarity," provided that such acts occur during the commission of a crime. The Penal Code also stipulates sentences up to life imprisonment for public servants who "use or oblige the use of violence" against others in the exercise of their functions. By law, pretrial investigating judges must, if asked to do so or if they themselves notice physical marks that so warrant, refer the detained person to an expert doctor. However, according to legal experts, this obligation often is ignored in practice.

In February the AMDH reported the death under suspicious circumstances of Ali Akzkane while he was in police custody in Tiznit on January 4 after being apprehended during an attempted robbery. In response to the AMDH's request for a government investigation, the National Security Police denied accusations of malfeasance in Akzkane's death, and attributed his death to suicide likely brought on by depression. Results of an autopsy reportedly attributed Akzkane's death to suicide. According to the AMDH, which was contacted by the Government regarding the affair in September, the authorities were reviewing the case at year's end (see Section 1.a).

In April a Moroccan court in the Western Sahara city of Laayoune sentenced five Sahrawi youths to prison terms of between 5 and 10 years for the "formation of a criminal association" after their alleged participation in a March 4 stone-throwing in the same city. One of the lawyers representing the five Sahrawis alleged that the judicial police who investigated the affair committed several illegal acts, including torturing the youths during their detention (see Sections 1.d., 1.e., and 1.f.).

After his release from prison on May 4 after a royal pardon, Sadok El-Kihal, a trucker and regional bureau member of the Istiqlal party's General Union of Moroccan Workers (UGTM), contacted the AMDH with accusations that he had been arrested arbitrarily, jailed, tortured, and falsely convicted by authorities in June 1999 following his participation in a national truckers strike. El-Kihal alleged that security forces in the Gendarmerie of Taouriate (Oujda province) tortured him for almost 24 hours, suspending him by his arms for extended periods while beating his fingers and feet. El-Kihal also alleged to AMDH that members of the Gendarmerie tied his hands behind his back, bent him backward on his knees, and applied pressure to his stomach while somebody forced their fingers down his throat. El-Kihal alleged that two adjutants in the Gendarmerie participated in his torture. El-Kihal said that his jailers wrote a false police report, which they forced him to endorse with his thumbprint without first allowing him to read it. El-Kihal alleged that it was this police report that formed the basis of his conviction at the Oujda court of appeals, which sentenced him to 2 years' imprisonment. The Istiqlal party's Arabic-language daily, *Al-Alam*, published a UGTM communique on September 30, 1999, regarding El-Kihal's treatment. El-Kihal subsequently benefited from a royal pardon and was freed on May 4 (see Sections 1.d., 1.e., and 6.a.).

In June a foreign diplomat met with a Sahrawi student, who claimed to have been tortured by the authorities for suspected participation in May 17 to 18 demonstrations near the Marrakech University campus. There were conflicting accounts regarding the origins of the large-scale demonstrations, during which mostly Sahrawi students clashed with dozens of Marrakech police in violent exchanges that involved the throwing of a Molotov cocktail by one student and the clubbing of students by security forces. During the detention, police allegedly attempted to force the student to inform on other Sahrawi students who had participated in the demonstrations. During the meeting, the student showed the foreign diplomat fresh burn marks that the police allegedly inflicted with cigarettes (see Sections 1.d. and 1.e.).

On May 17 in Rabat, police arrested 14 students at Mohammed V University and charged them with arson, violence against the police, erecting barricades, and impeding free movement. The students, 12 of whom were Sahrawis, participated earlier in the day in a solidarity protest with fellow Sahrawi students who were arrested the same morning in Marrakech. According to a lawyer representing 13 of the accused students, one of his clients claimed that police took him to an unidentified location after his arrest, beat him severely, and interrogated him regarding his activities and links with other Sahrawis and human rights activists. Indicating his client's difficulty in speaking in court, as well as his swollen face and eyes, the lawyer requested the pretrial investigating judge to conduct a medical examination of his client, which the judge refused. After a series of hearings and delays, on November 17, the Rabat court of appeals acquitted and freed all 14 students who were detained in mid-May. According to a lawyer for the defense, all of the detained students denied before the court any involvement in the demonstration. The prosecution reportedly failed to produce any witnesses who could confirm the students' participation in the May 17 incident (see Section 1.e.).

The AMDH's bureau in Taounate (outside of Fez) reported suspicious circumstances in the death of Mustapha Najiaji after a Royal Armed Forces patrol reportedly took him and another citizen into custody on July 12; press reports stated that security forces detained the two for public drunkenness and possession of illicit narcotics. According to the AMDH report, the second citizen claimed that the patrol beat Najiaji to death while the security forces claim that they found Najiaji dead in his cell from suicide by hanging. The AMDH reported that the prosecutor general of Fez orally transmitted the autopsy results to Najiaji's family and that the family's lawyer had access to the results; the results reportedly made reference to Najiaji

2014

having been the victim of violence before his death. The AMDH expressed concern over the slow handling of the case; it reportedly was pending with the general prosecutor at the military court in Rabat at year's end, and the Royal Armed Forces patrol members have yet to be charged (see Section 1.a.).

In August the media reported a case of alleged torture by police in a Casablanca police station. Abderrahmane Jamali alleged that police officers in the Ain Sebaa-Hay Al-Hassani station tortured him for 3 days while he was detained in early August, once in the presence of a citizen who had filed a complaint against him. Press reports alleged that the incident began in late July when the plaintiff twice filed a complaint against Jamali for abuse of confidence and theft. After the prosecutor dismissed the first complaint for lack of proof, the plaintiff requested a reopening and more thorough investigation of the case. Press reports alleged that Jamali subsequently was detained, tortured for 3 days, and then convicted and sentenced by a Casablanca court to 5 months' imprisonment several days later. Jamali reportedly fainted during the sentencing hearing. Jamali became ill within days of his incarceration and, after his family sent a letter to the prison director requesting the director's intervention, was sent to various medical facilities. At Averroes hospital, doctors on August 11 detected an infection allegedly transmitted by parasites found on rodents. According to the Party of Progress and Socialism's French-language daily newspaper *Al-Bayane*, doctors also found signs of "physical cruelty" on Jamali's body. The marks reportedly included contusions and bruises on his neck and knees, as well as a lesion on one of his lungs. A doctor at Averroes wrote a letter to *Al-Bayane* claiming that the infection Jamali contracted "does not explain all of the signs that we observed during (his) clinical examination." Afterwards, Jamali filed complaints against three agents of the judicial police for torture; the Casablanca police department issued a communique on August 18 stating that it had opened an investigation into the charges of torture. Some newspapers called for an investigation into the court of first instance's handling of the case because the judge and prosecutor allegedly failed to inquire into the detainee's fragile state of health, as required by law.

In September the media reported on two cases of alleged torture by a deputy officer from the Royal Gendarmerie brigade in Zaio, in the northeastern part of the country. According to the reports, the officer tortured two persons in order to extort money from their family and friends. In one of the cases, a cafe owner alleged that in September the officer slapped him in front of his customers, used force to remove him from his establishment, and subjected him to various forms of torture at brigade headquarters. In the second case, an elderly woman brought suit against the same officer for torturing her son and extorting approximately \$500 (5,000 dirhams) from her to stop the torture. After he was informed of the cases, Zaio's municipal president (who also is a Member of Parliament) reportedly referred the cases immediately to the national authorities. An investigation into the alleged torture was ongoing at year's end.

At the October 27 trial of 10 students at the University of Hassan I in Settatt, each of the students reportedly declared before the Settatt court of first instance that they were forced under duress and torture to sign (by thumb prints) their police statements. According to a communique from the Party of Progress and Socialism (PPS) political party, two of its members who were involved in the incident "were victims of grave physical cruelty" during their transfer to the police station and during their detention (see Sections 1.e. and 2.b.).

The OMDH filed a complaint on behalf of some of those who were detained and abused by the police at the end of September 1999, following several days of protests over a variety of social grievances in Laayoune in the Western Sahara (see Sections 1.d., 1.e., 1.f., and 2.b.). There was photographic and other evidence to substantiate claims that the police systematically had beaten some of the persons they had detained in connection with the protests. An investigation was opened into the charges; however, after almost 15 months no police officials have been charged in connection with the force used to break up the protests, nor for the beatings inflicted on some of those detained by the police. (Some police officials allegedly responsible subsequently were transferred in 1999 and the chief of police in Laayoune was relieved of his duties there.)

In its 2000 annual international human rights report released in June, Amnesty International acknowledged that security forces involved in several cases of torture had been arrested and prosecuted. However, the organization noted that "in the majority of cases, investigations were either not opened into complaints and allegations of torture ... or were opened but dismissed without adequate investigation."

Frustrated by what it perceived to be the Interior Ministry's slow implementation of measures to ensure a more humane Government with greater transparency, which were urged by King Mohammed VI in 1999, the OMDH in February pub-

2015

licized a memorandum it sent to Interior Minister Ahmed Midaoui in January calling for a dialog between Midaoui's ministry and human rights organizations. The OMDH appealed to the Interior Minister to implement a series of proposed measures, including measures reinforcing individual protections against torture through the full implementation of the Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, destroying police files on former political prisoners or exiles, and ending illegal punitive detention measures by local authorities.

In 1999 the OMDH published a special newspaper in which it called on the Government to implement legislation that would criminalize the use of torture and would control the conditions under which detainees are kept in garde-a-vue detention and in prisons. The OMDH claimed that most cases of torture submitted to the justice system involved incidents that occurred in front of witnesses or in public areas. According to the OMDH, torture in detention largely continues to escape the notice of the judiciary. The OMDH noted that the implementation of judges' instructions on eliminating the use of torture has been "exceedingly slow." While the OMDH admitted that the use of torture has diminished over the years, it claimed that it has not disappeared. The OMDH alleged in its report that those who commit such abuses "do so with impunity in almost all cases." The NGO called on the Government to harmonize domestic law with its responsibilities under the U.N. Convention Against Torture, to ensure full independence for the judiciary, and to punish those who resort to torture.

In February Human Rights Minister Mohammed Aujjar announced plans by the newly formed NGO Association for the Rehabilitation of Torture Victims (ARVT) to open a rehabilitation center in Casablanca designed to assist former torture victims in overcoming torture-related trauma. At an inaugural event, Prime Minister Youssoufi said that the center constituted a new milestone in the consolidation of the rule of law.

Also in February, Mohammed Kholti, a retired secret police officer who tortured political dissidents during the 1970's and 1980's publicly asked for forgiveness in a letter sent to two national newspapers, which published his plea. Kholti's act marked the first time that a former member of the security forces had admitted to past use of torture.

In April Reuter's news services reported the lifting of a 13year ban on a book that described harsh conditions in a high security prison. According to author Abdelkader Chaoui, his book, "The Unachieved Past," had been banned since its publication in 1987. The book describes the harsh conditions in the Kenitra prison, in which the author was held for 15 years. Chaoui was jailed in 1974 because of his leftist political opinions and leadership role in a Marxist-Leninist organization. In November in Marrakesh, King Mohammed awarded Chaoui a literary prize for his most recent novel (see Section 2.a.).

In May the Government permitted the local publication and sale of a comic book called "They Even Starve Rats." Written and illustrated by Abdelaziz Mouride, a leftist student whom the authorities arbitrarily detained in 1974, sentenced to 22 years in prison, and then freed in 1984, the comic book recounts in vivid detail the torture, injustice, and humiliation that the author and other political dissidents suffered at the hands of the authorities. Using the third person to narrate his experience, Mouride depicts the manner in which the authorities kidnaped dissidents, tortured them in secret detention centers, staged sham trials, and then incarcerated them in remote prisons, where some lost their sanity or died. Mouride secretly was able to send out drawings of his ordeals with visiting friends and relatives. Mouride said that human rights organizations played the principal role in securing his freedom in 1984 (see Section 2.a.).

Also in May, a delegation from the International Center for the Rehabilitation of Torture Victims visited the country to discuss the Government's compliance with the U.N. Convention Against Torture. The delegation told Human Rights Minister Aujjar that it sought to hold its next world congress in Morocco.

In an October 23 "Open Letter to the Minister of Justice" that it distributed to domestic as well as international media, the AMDH for the first time published a list containing 14 names of alleged former torturers and officials involved in disappearances and arbitrary detention. The first domestic newspaper to republish the list was *Le Journal*. Some of the listed names were high-ranking officials currently holding office, including the head of the Royal Gendarmerie and secret services. Former Interior Minister Driss Basri's name also was included in the list. In the letter, the AMDH called for "the truth and pursuit of those responsible for disappearances." The AMDH also criticized the Justice Ministry for its alleged non-intervention in past cases of torture and disappearance (see Section 2.a.).

2016

In 1998 the Ministry of Justice and the prison administration implemented a law that makes autopsies routine for any death that occurs in detention, in order to allow allegations of torture to be evaluated. The autopsies take place at the request of the family, human rights NGO's, or the state prosecutor, and at the order of a judge. Autopsies were used to prove allegations of abuse in at least two cases during the year.

In incidents throughout the year, police continued to use force to disperse several demonstrations by unemployed university graduates associated with the National Association of Unemployed Graduates (known by its French acronym, ANDC), an organization not recognized by the Government, and "Group 314" (a separate organization of unemployed state doctoral graduates of medicine and engineering), and other groups to a lesser extent. In numerous incidents throughout the country during the year, police beat demonstrators with batons in order to disperse them (see Sections 1.d., 1.e., and 2.b.). On February 2, in the village of Tarmilet, security forces used force, including rubber bullets, tear gas, and water cannons, to remove striking workers who had blockaded a water-bottling factory to protest lay-offs (see Sections 1.d., 1.f., 2.b., 2.d., and 6.a.). On June 18 in Rabat, security forces again resorted to force, using batons and tear gas to disperse ANDC demonstrators and to remove Group 314 hunger strikers from the local headquarters of an independent national union (see Sections 1.d., 1.e., and 2.b.). On July 26 and again on September 12, police violently dispersed disabled, unemployed university graduates who were protesting the denial of their right to employment (see Sections 2.a., 2.b., and 5). On October 8 in Casablanca, police dispersed with tear gas 2,000 to 3,000 Islamists who were protesting the Israeli Government's actions against Palestinians in Israel, the West Bank, and Gaza in the fall (see Section 2.b.). On October 23, security forces used violent means to break up a demonstration by students who were preparing to begin a march to protest transportation problems at Hassan I University in Settat (see Sections 1.e. and 2.b.). There were reports in the fall of violent clashes at university campuses around the country between security forces and JCO students engaged in student elections (see Sections 1.e. and 2.b.). On November 27, security forces reportedly used violent means to break up a 5-day sit-in strike at a canning factory in the southern city of Agadir. The attack reportedly resulted in the death of one worker and injuries to eight others (see Sections 1.a., 1.d., 2.b., and 6.a.). During the weekend of December 9 to 11, security forces throughout the country used violent means to disperse human rights activists, members of the JCO, and unemployed graduates who separately gathered in Rabat and other large cities to demonstrate for different reasons (see Sections 1.d., 1.e., 2.a., 2.b., and 4).

In February a Tangiers court convicted two police officers of manslaughter in the 1996 beating death of Mohamed El-Feddaoui at the port of Tangiers, when the El-Feddaoui was returning from Holland. Both police officers received 10-year jail terms for violence resulting in manslaughter. The port police commissioner was sentenced to 8 years' imprisonment for abusive detention and denial of complicity in the crime (see Section 1.a.).

Prison conditions remain harsh; however, they have improved in recent years, due in part to reforms undertaken at the suggestion of the CCDH and the Minister of Justice, and to more transparency in the functioning of the National Prison Administration. In August 1999, the Government enacted new legislation designed to reform the prison system. The new legislation replaced a royal decree that had governed the prison system since 1915. Among the reforms in the legislation were provisions mandating compensation for work performed by prisoners. Prisoners with "good conduct" records also were accorded the right to a furlough to visit family members during important holiday periods. The new legislation outlawed the use of handcuffs, manacles, or other devices used for physical restraint, except as required to restrain violent prisoners and then only after consultation with prison medical authorities. Procedures were established to allow the prisons to be inspected by the press and human rights organizations, and members of both the press and human rights organizations visited prisons after the procedures were established. Visitors must receive authorization from the Director of the Prison Administration to conduct prison visits. Special provisions also accorded women the right to keep their children with them in prison until the children reach the age of 2 or longer with special permission from the Ministry of Justice. The new law contained provisions that extended the function of the prison system beyond that of punishment and incarceration to include rehabilitation and preparation for a return to society.

Nonetheless, credible reports indicate that harsh treatment and conditions continue, often as a result of chronic overcrowding. Despite being designed to hold 4,000 inmates, Oukacha Central Prison in Casablanca currently holds more than 7,000 prisoners. Human rights groups allege that poor medical care in prisons results in unnecessary deaths. To address this problem, the Government provided spe-

cial funds in the 1998–99 budget for the renovation of prison facilities, and added doctors and health facilities to prisons. In addition to extreme overcrowding, malnutrition and lack of hygiene continue to aggravate the poor health conditions inside prisons (see Section 1.a.).

Press reports during the year called attention to the extremely harsh conditions inside the detention center of Ain Atiq outside of Rabat. While Ain Atiq's status as a detention or social center is not defined clearly, it often receives homeless, vagrant, and mentally disabled persons, in addition to juvenile delinquents. Negligence at Ain Atiq reportedly has led to serious problems, such as hygienic and nutritional deficiencies, and harsh general living conditions. The center also is reportedly underequipped and understaffed to provide adequate medical care. The AMDH reportedly is planning a study of the center in the hopes of encouraging improvements. During the year, the authorities used Ain Atiq to detain various demonstrators picked up during protests. In June, July, and September security forces forcibly dispersed unemployed, disabled protesters in downtown Rabat and reportedly took them to Ain Atiq, where some allegedly remained for over a month (see Sections 2.b. and 5). In the past, human rights organizations have called for Ain Atiq's closure, as well as of other similar centers.

Some press reports during the year also raised the problem of drug trafficking and sexual abuse in prisons among inmates. The presence of cannabis is widely recognized as a problem, as is sexual abuse of inmates. In May prisoners in the Touchka prison at Errachidia allegedly rioted to protest against, among other problems, sexual abuse among inmates. Press reports during the year also raised the issue of some prisoners being allowed to pay for the right to occupy their own cells.

In the first visit of its kind, Members of Parliament visited Sale prison in February 1999 to investigate prison conditions and allegations of overcrowding. Their visit followed that of the 2M television station, which broadcast an exclusive report on prisons in January 1999.

Although the Government generally did not permit prison visits by human rights monitors in the past, since the tenure of the Youssoufi Government began there has been close collaboration between the Justice Ministry, the National Prison Administration, and human rights groups on prison visits, which now are authorized explicitly by law. Throughout the year, the National Prison Administration continued to allow numerous site visits by Parliament, the press, human rights groups, and foreign diplomats. The National Observatory of Moroccan Prisons (ONPM) made over 15 visits during the year, taking extensive notes of the numerous problems facing the prison system and recounting these in the press. In addition to noting the harsh conditions caused by chronic overcrowding (some estimates place the current inmate population at as high as 52,000), the ONPM recommended that some of the existing deteriorated penitentiaries dating from the 1920's be replaced or renovated. According to Mohamed Lididi, the Administrator of the National Prison Administration, 20 smaller prisons currently are being built to supplement and replace some of the existing 43.

In addition to permitting an increasing number of visits, the National Prison Administration initiated a series of activities to improve living conditions inside prisons, including the construction of family visitation centers, manual skills training facilities, and prison visits by various entertainers. Early in the year, the civilian prison in El-Jadida (near Casablanca) was expanded, with the addition of a professional training center and a family meeting area. The training center provides courses and vocational studies to inmates interested in preparing themselves for post-prison employment. The family area allows inmates to meet directly with their family members, and is equipped with chairs, tables, and a small cafe. Telephone booths also were installed for use by inmates. The improvements at El-Jadida were duplicated inside other prisons, with the Prison Administration devoting more resources to improving living conditions and inmate rehabilitation. The ONPM received permission to organize an evening music and dance program for female inmates in Oukacha prison in Casablanca. In Sale prison near Rabat, the British Embassy and the Prison Administration sponsored a musical performance by African students. Several similar performances and cultural seminars occurred at other prisons.

In November at Al-Akhawayn University in Ifrane, the Justice Ministry hosted, in coordination with the Rabat-based organization British Council and the London-based Penal Reform International, an international seminar on reforming the prison system. The seminar was attended by eminent international jurists and focused on identifying constructive alternatives to incarceration. The director of the penitentiary system participated in the seminar, speaking on the evolution of the country's penal system. The new NGO the Moroccan Prison Observatory participated as well.

d. Arbitrary Arrest, Detention or Exile.—Police continued to use arbitrary arrest and detention. Although legal provisions for due process have been revised exten-

sively in recent years, reports indicate that authorities sometimes ignore them. Although police usually make arrests in public and during the day, they do not always identify themselves and do not always obtain warrants. Garde-a-vue detention is limited to 48 hours, with one 24-hour extension allowed at the prosecutor's discretion. In state security cases, the garde-a-vue period is 96 hours; this also may be extended by the prosecutor. It is during this initial period, when defendants are denied access to counsel, that the accused is interrogated and abuse or torture is most likely to occur. Some members of the security forces, long accustomed to indefinite precharge access to detainees, continue to resist the new rules.

Under 1991 changes to the law, the police are obliged to notify a person's next of kin of an arrest as soon as possible. However, lawyers are not always informed promptly of the date of arrest, and thus are not always able to monitor compliance with the garde-a-vue detention limits. While the law provides for a limited system of bail, it rarely is granted. However, defendants sometimes are released on their own recognizance. The law does not provide for habeas corpus or its equivalent. Under a separate code of military justice, military authorities may detain members of the military without warrants or public trial.

Although accused persons generally are brought to trial within an initial period of 2 months, prosecutors may request up to five additional 2-month extensions of pretrial detention. Thus, an accused person may be kept in detention for up to 1 year.

During their February 2 operation to halt a strike at a waterbottling factory in the village of Tarmilet (48 miles from the capital), security forces reportedly arrested more than a dozen factory workers, as well as random passersby. According to sources in the Government, the workers and passersby later were released without charges. The Democratic Confederation of Workers trade union, which is aligned politically with the ruling USFP party, reported that security forces also detained two of its regional delegates 2 weeks following the February 2 incident. According to government sources, the two officials were freed by royal pardon on May 1 (Moroccan Labor Day) while an investigation into the incident was still underway (see Sections 1.c., 1.f., 2.b., 2.d., and 6.a.).

In April a Moroccan court in the Western Sahara city of Laayoune sentenced five Sahrawi youths to prison terms of between 5 and 10 years for the "formation of a criminal association" after their alleged participation in a March 4 stone-throwing incident in the city. One of the lawyers who represented the five Sahrawis alleged that the judicial police who investigated the affair committed several illegal acts, including unlawfully entering the homes of the youths and detaining them, torturing them during their detention, and forcing the youths to sign under duress police reports, which they were not allowed to read and which they claimed contained falsehoods. The decision was appealed to the court of appeals in Laayoune and was reportedly before the Supreme Court in Rabat at year's end (see Sections 1.c., 1.e., and 1.f.).

On May 3, members of the ANDC and other unemployed persons in Meknes staged a sit-in before a local police station to protest the situation of the unemployed and alleged favoritism in local government hiring practices. According to press reports, city officials called in security forces, who used force to disperse the protesters. Twenty-eight protesters were arrested and sent before the court of first instance on May 4. The court, without explanation, adjourned a morning hearing and sent the 28 back to the police station; the protesters were summoned to the court again in the afternoon, then released without charge (see Sections 1.c. and 2.b.). In a May 17 communique, the OMDH criticized the Government's use of violence against unemployed graduates in various cities throughout the country, including at the Meknes sit-in.

On May 26, the court of first instance in Marrakech sentenced 13 students to 3 years in prison for their alleged participation in demonstrations on May 17-18 near the Marrakech University campus. The 13, 8 of whom were Sahrawis, were convicted on charges of armed gathering, assault with weapons, contempt of public servants exercising their duties, destruction of public goods, and impeding free movement. Two others were sentenced to 2 months in prison, and in June one more student was sentenced to 5 years in prison for setting fire to a public vehicle, damaging municipal property, and contempt of a civil servant exercising his duty. Thirty to 40 students reportedly were detained initially by police.

Conflicting stories exist as to the origins of the large-scale demonstrations, in which large numbers of Marrakech police resorted to force to disperse dozens of mostly Sahrawi students, one of whom threw a Molotov cocktail that destroyed a police car. One of the detained students claimed to have been tortured by the authorities for suspected participation in the demonstrations, and displayed fresh ciga-

2019

rette burns to a foreign diplomat to support the allegations (see Sections 1.c., 1.e., and 2.b.).

On June 13, police arrested two regional leaders of the independent Moroccan Workers' Union (UMT) outside the UMT's Rabat headquarters. Police arrested the leaders on the UMT's premises following a demonstration downtown by thousands of unemployed graduates associated with the ANDC (a group unaffiliated with the UMT, although some of its members also belong to the UMT). After security forces violently dispersed the ANDC demonstration and arrested 28 of the protesters, many ANDC members returned to the UMT's headquarters to regroup. Security forces then arrived, encircled the building, and restricted access to it. When the two UMT leaders left their union's building to observe the situation, they were taken away by police and reportedly held overnight. Both of the leaders later were released without charge. All 28 ANDC protesters who were arrested downtown earlier in the day later were released without charge.

On June 18 in Rabat, security forces resorted to force, using truncheons and tear gas to disperse ANDC demonstrators and Group 314 hunger strikers from the UMT's Rabat headquarters. Security forces reportedly arrested up to 100 protesters. Dozens of protesters were reported injured, some seriously. Twenty-two of those arrested were charged with "using violence against agents of authority"; 19 received suspended sentences and 3 received 2 months' imprisonment. Prime Minister Youssoufi convened an interministerial meeting on June 19 to address the violence and condition of the unemployed population. Justice Minister Azziman then met with some members of the ANDC, which still is unrecognized by the Government. On July 5, the Group 314 hunger strikers ended their 28-day strike after a meeting with the Government, in which both sides pledged to engage in a substantive dialog (see Sections 1.c., 1.d., and 2.b.).

In early October, over the period of several days, the Government accused of espionage, detained, and held under house arrest three French television journalists from France's FR3 television station, who were reporting on a human rights demonstration at the notorious former secret detention center of Tazmamart (see Section 2.a.).

There were confirmed reports that police arrested 21 strikers involved in a 5-day sit-in strike at a canning factory in Agadir on November 27. All but one of the strikers later was released. Security forces reportedly used violent means to break up the strike, which reportedly resulted in the death of one worker and injuries to eight others (see Sections 1.a., 1.c., 2.b., and 6.e.).

From December 9 to 11, security forces violently attacked human rights activists, JCO members, and unemployed graduates, who had been demonstrating in Rabat and other large cities for different reasons, and detained hundreds of persons. Most demonstrators were released shortly thereafter (see Sections 1.c., 1.e., 2.a., 2.b., and 4).

Sadok El-Kihal, a trucker and regional bureau member of the Istiqlal party's union, the UGTM, contacted the AMDH during the year with accusations that he had been arrested arbitrarily, jailed, tortured, and falsely convicted by authorities in June 1999, following his participation in a national truckers strike (see Sections 1.c., 1.e., and 6.a.).

In December 1999, Moroccan security forces who reportedly were sent from Rabat, detained one Sahrawi in the Western Sahara city of Laayoune and two Sahrawis in the southern Moroccan cities of Tan-Tan and Agadir. Alleged to be spies for the Polisario, the three reportedly were held 8 days before their appearance in an Agadir court and before their families were informed of their detention. Family members and the AMDH criticized the nature of the arrests, claiming them to be a violation of human rights and due process, and proof that forced disappearances still occur in the country. In a public trial abruptly convened on May 30 after a lengthy and largely unpublicized police investigation, the three were convicted of threatening the internal security of the State and sentenced to 3 to 4 years in prison. In an appeals hearing on July 5, all three were sentenced to 4 years in prison (see Section 1.e.). On September 27, security forces in civilian dress detained a fourth Sahrawi at the Laayoune airport as he was about to board a flight. In August the Sahrawi was charged before the court of first instance in Agadir for spying for the Polisario Front and sentenced to 4 years in prison for threatening the internal security of the state (see Section 1.e.).

After 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II, Islamist dissident Sheikh Abdessalam Yassine was allowed to leave his Sale home on May 16. Yassine's release came after a May 10 statement by Interior Minister Midaoui before Parliament that Yassine "leaves and returns to his residence as he likes." Minister Midaoui also stated that Yassine was free to take his case to court if he felt that his rights were being abused. In February four

members of Yassine's Justice and Charity Organization were arrested for distributing a defiant memorandum from Yassine to King Mohammed VI. All four were charged with "violating the sacred institution of the Monarchy"; however, authorities later dropped the charges and released all four (see sections 2.a., 2.c., and 2.d.).

There are no known instances of forced exile. After King Mohammed VI took the throne in July 1999, formerly exiled political dissident Abraham Serfaty was allowed to return to the country in September of that year. Serfaty, a member of the (now defunct) Communist Party and a supporter of Western Saharan independence, was expelled from the country in 1991 after having spent 17 years as a political prisoner. In September Serfaty, a mining engineer by profession, was appointed by King Mohammed VI as counselor to the newly established office responsible for developing recently discovered hydrocarbon reserves in the eastern part of the country.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; although the courts historically have been and remain to some extent subject to extrajudicial pressures, including bribery and government influence, the Government continued to implement reforms intended to increase judicial independence and impartiality during the year. Despite such efforts, the Government was criticized by the Denmark-based Euro-Mediterranean Human Rights Network (EMHRN), the OMDH, and other groups for the slow pace of judicial reform. In January the Prime Minister announced plans to create an independent ombudsman that would investigate citizens' complaints and protect them from abuses involving the judiciary. The press reported in November, and the Ministry of Human Rights asserted, that the preparation of implementing legislation for the ombudsman post was nearing completion. According to press reports, in February Justice Minister Azziman reacted to accusations about the slow pace of reforms by calling upon the assistance of Supreme Court justices to increase and quicken the investigation of judges suspected of professional malfeasance. In March Azziman, through the High Council of the Magistrature, which often has been criticized by human rights organizations for the nontransparent nature of its deliberations, promoted a large number of judges whose records were considered exemplary, and disciplined a smaller number of judges. In November on public television Azziman reaffirmed the Government's commitment to reforming the judiciary. In 1998 Azziman had stated that judicial reform was his top priority, and addressed the issue of corruption by disbarring and disciplining a number of judges. With the encouragement of then-King Hassan II and the broad support of the business community, the Justice Minister in 1999 oversaw the creation of a system of commercial courts for business litigation to boost investor confidence. In the same year, the Ministry of Justice began to implement a 5-year reform plan that emphasized transparency, accountability, and professionalism as top priorities. During the past 2 years, the administrative courts frequently have ruled against local governments that exceeded their authority.

There are four levels in the common law court system: Communal and district courts, courts of first instance, the Appeals Court, and the Supreme Court. While in theory there is a single court system under the Ministry of Justice, other courts also operate, including: The Special Court of Justice, which handles cases of civil servants who are implicated in corruption; administrative courts, which deal with the decisions of the bureaucracy; commercial courts, which deal with business disputes; and the military tribunal, for cases involving military personnel and, on certain occasions, matters pertaining to state security (although state security cases also may fall within the jurisdiction of the regular court system).

Although there is a single court system for most nonmilitary matters, family issues such as marriage, divorce, child support and custody, and inheritance are adjudicated by judges trained in Shari'a (Islamic law) as applied in the country. Judges considering criminal cases or cases in nonfamily areas of civil law generally are trained in the French legal tradition. All judges trained in recent years are graduates of the National Institute for Judicial Studies, where they undergo 3 years of study heavily focused on human rights and the rule of law. It is not necessary to be a lawyer to become a judge, and the majority of judges are not lawyers.

In general detainees are arraigned before a court of first instance. If the infraction is minor and not contested, the judge may order the defendant released or impose a light sentence. If an investigation is required, the judge may release defendants on their own recognizance. According to reliable sources, cases often are adjudicated on the basis of confessions, some of which are obtained under duress.

While appeal courts may in some cases be used as a second reference for courts of first instance, they primarily handle cases involving crimes punishable by 5 years or more in prison. In practice, defendants before appeals courts who are implicated in such crimes consequently have no method of appeal if a judgment goes against them. The Supreme Court does not review and rule on cases sent to it by courts of appeal; in its role as a court of cassation, the Supreme Court may overturn an

appellate court's ruling on procedural grounds alone. The absence of appeals for defendants in such crimes therefore becomes more problematic given the fact that an investigation into the case by a "juge d'instruction" (pretrial investigating judge) is only mandatory in those crimes punishable by sentences of life imprisonment or death.

Justice Minister Azziman has stated that he would attempt to end petty corruption in the judiciary by increasing judges' salaries and ensuring punishment for bribe-takers, as well as attempt to end all informal and inappropriate influences on judicial decision-making in the court system. Nonetheless, the court system remains subject to extrajudicial pressures. Despite recent increases, salaries for both judges and their staffs remain modest; as a result, some observers allege that petty bribery remains a routine cost of court business. In some courts, especially in minor criminal cases, some observers allege that defendants or their families must pay bribes to court officers and judges to secure a favorable disposition.

However, throughout the year, the national media reported on a number of arrests, convictions, and sentences of judicial officials for their role in petty corruption. Reports also indicated that the Special Court of Justice, despite its resource constraints, increasingly prosecuted public servants for corruption. In October at the recommendation of the Justice Ministry, the King approved new internal statutory regulations for the High Council of the Magistrature. According to press reports, the new regulations were implemented to strengthen the independence of the judiciary.

After his appointment in 1997 by then-King Hassan II, Justice Minister Azziman began to reduce the judiciary's relationship with the Ministry of Interior. Nevertheless, judges continue to work closely with the Interior Ministry's local network of officials, or "caids" (although as judicial police, caids technically fall under the jurisdiction of the Justice Ministry), who often legally are charged with the responsibility of questioning criminal defendants. Caids frequently prepare the written summary of an arrest and subsequent interrogation. The summary is admissible in court as an element of the evidentiary process and can carry great weight with the judge. After the new Justice Minister's appointment, the Ministry of Justice began to reassert its authority and control over judges.

The law does not distinguish political and security cases from common criminal cases. In serious state security cases, communications between the Ministry of Interior and the court are more direct. At the Government's discretion, such cases may be brought before a specially constituted military tribunal, which is subservient to other branches of the Government, especially the military and the Ministry of Interior.

Aside from external pressures, the court system also is subject to resource constraints. Consequently, criminal defendants charged with less-serious offenses often receive only a cursory hearing, with judges relying on police reports to render decisions. Although the Government provides an attorney at public expense for serious crimes (when the offense carries a maximum sentence of over 5 years), appointed attorneys often provide inadequate representation.

In 1999 Minister Azziman announced that in the preceding 12 months the judicial system had enforced judgments in 60,000 out of 100,000 cases of civil litigation, which represented significant progress toward eliminating a persistent backlog. The Justice Ministry continued to make progress clearing this backlog during the year.

In 1998 the OMDH issued a report that assessed the status of the judiciary. According to the OMDH, the Yousoufi administration took a series of steps to improve the court system, including rooting out high-level corruption, naming a new Director for Judicial Administration at the Justice Ministry, reactivating a Justice Ministry disciplinary body, publishing that body's deliberations and decisions, and organizing free and fair elections to that body. Nevertheless, the OMDH called for additional reforms, including changing laws to reduce the Justice Minister's prerogative to suspend judges through the High Council of the Magistrature, revamping the Criminal Code (which the OMDH stated offers insufficient protection for a fair trial), strengthening the law on civil liberties, and compelling judges to place their assets in a blind trust. The OMDH also called on the State to punish those officials guilty of human rights abuses. Finally, the OMDH noted the lack of resources necessary for documentation tracking and for court facilities. At its fourth annual congress held in March, during which it distributed its annual human rights report for 2000, the OMDH called for the elimination of "courts of exception" (military tribunals, the Special Court of Justice, and the High Court), for the strengthening of judges' independence, and greater resources for the Justice Ministry.

During the year, the courts handled an increasing number of cases that involved sensitive human rights issues, most of which were covered openly and extensively by national and international media. Trial subjects included freedom of the press, alleged Polisario Front espionage, and Sahrawi student demonstrations in the cap-

ital and Marrakech. Defense attorneys involved in these cases, most of whom were prominent human rights activists and members of the AMDH and OMDH, generally agreed that the majority of the judicial processes pertaining to the cases were marked by significant irregularities, and that these irregularities infringed on the rights to a fair trial for the accused.

Mustapha Adib, a young air force captain, was incarcerated in December 1999 and tried before a military court for allegedly violating the Military Code and libeling the military. The authorities detained Adib after he spoke out against military corruption and harassment to a journalist from the French newspaper *Le Monde*. On February 17, a military court convicted Adib after 4 days of proceedings during which the judge rejected nearly every legal motion advanced by the defense. The court denied the defense's requests that the court make the trial public, allow the defense to summon more than a dozen defense witnesses and present documentary evidence, and recuse one of the military judges, who was a former superior of Adib's. The judge whom the defense asked to be recused allegedly was responsible for blocking Adib's promotions after Adib made the allegations of corruption in a 1998 letter to then-Crown Prince Sidi Mohammed (now King Mohammed VI).

The military tribunal sentenced Adib to the maximum prison term of 5 years and expelled him from the air force. Human rights activists criticized the unfair nature of the trial; the OMDH issued a report on February 21 contending that closed trials unjustly influenced the results and accused the court of partiality in refusing to recuse Adib's former superior. After deciding on a "silent defense" to protest the military court's conduct of the case, the attorney representing Adib characterized the trial as a "travesty of justice." Following an appeal on procedural grounds lodged by Adib's attorney immediately following the end of the trial, and after Adib staged a 5-day hunger strike in early May, the Supreme Court in June announced that it would review the case. On June 14, the Supreme Court overruled the military court and announced that the case would be retried by a new military tribunal composed of different judges. Adib's defense team called the decision a "historic judgment."

A newly constituted military court in Rabat retried Adib's case in early October. After 3 days of hearings, during which the court again refused to hear witnesses requested by the defense and rejected multiple other defense motions, the military court found Adib guilty of the charges initially brought against him. The court reduced Adib's sentence to 2.5 years in prison and upheld his expulsion from the military. Adib's lawyer criticized the verdict as "neither just nor equitable," and said that he would appeal the new verdict. On September 28, before the retrial began, the international NGO Transparency International recognized Captain Adib with one of its Integrity Awards for his courage in fighting corruption, which Adib's lawyer accepted for him in Canada. In early November, Amnesty International identified Adib as a "prisoner of conscience."

On April 5, a Moroccan civil court in the Western Sahara city of Laayoune sentenced five Sahrawi youth to prison terms of between 5 and 10 years for the "formation of a criminal association" after their alleged participation in a March 4 stone-throwing event in Laayoune, which reliable sources say was spontaneous, unorganized, and lasted for only 5 minutes. The demonstration followed similar protests by Sahrawi students in several southern Moroccan and Western Sahara cities at the end of February and early March that security forces dispersed violently (see Sections 1.c., 1.d., 1.f., and 2.b.).

Attendees at the trial, including human rights activists and an attorney for the five defendants criticized the handling of the trial, particularly the court's refusal to hear witnesses for the defense who allegedly could have testified that at least two of the five defendants had been elsewhere at the time of the incident. In addition to the police reports, the court allegedly based its judgment on the testimony of two witnesses, one of whom reportedly could not positively identify the accused, and another who was not present at the trial, but who claimed that he saw in his rear view mirror a youth throwing a bottle at his car. The prosecution reportedly did not present any physical evidence, nor did it present any witness who could testify that the five accused were the ones who had thrown the bottle. The authorities claimed that the youths threw rocks at several vehicles, including one belonging to peacekeepers from the U.N. MINURSO contingent based in Laayoune, and attempted to set fire to a truck. However, the youth were acquitted of the arson charge during the trial.

A lawyer for the youths, who maintained the prosecution did not prove an incriminating act, said that "the verdict had nothing to do with justice." The lawyer also alleged that the judicial police investigating the affair committed several illegal acts by unlawfully entering homes of the accused and detaining them, torturing the accused during their detention, and forcing the accused under duress to sign police reports, which they were not allowed to read and which they claimed contained

falsehoods. The decision was appealed to the court of appeals in Laayoune and then reportedly to the Supreme Court in Rabat; no final ruling had been made by year's end. Families of the five Sahrawi youth also sent a letter to the Royal Palace in May requesting a royal pardon (see Sections 1.c., 1.d., and 1.f.).

On May 26, the court of first instance in Marrakech sentenced 13 students to 3 years in prison for their alleged participation in a riot on May 17 and 18 near their university campus. The 13 students, 8 of whom were Sahrawis, were convicted on charges of armed gathering, assault with weapons, contempt of public servants while exercising their duties, destruction of public goods, and impeding free movement. Two others were sentenced to 2 months, and in June one more student was sentenced to 5 years for setting fire to a public vehicle, damaging municipal property, and contempt of a civil servant exercising his duty. Thirty to 40 students reportedly were detained by police initially. According to one of the lawyers representing the students, judicial authorities showed little concern for the need to respect due process throughout the investigation of the events and the trial. There were no arrest warrants and no evidence was presented against any of those charged except the police statement of facts, which none of the defendants had signed (all had been forced to provide their thumbprint on the statement in lieu of a signature). The lawyers were not allowed to present evidence in court that could have exonerated their clients. For example, one of those convicted claimed that he had not been in Marrakech during the events. He was not allowed to present the testimony of friends in another city with whom he said he had been visiting.

Students involved in the demonstrations and press reports claimed that after an initial encounter between students and police, both the police and students called in reinforcements to their respective sides. A sit-in of roughly 60 students (not all Sahrawis) in the public street in front of their residence then was held, which police reportedly broke up by force after negotiations failed. When another sit-in was organized, the police again forcibly dispersed students and arrested several dozen (not all Sahrawis). Lawyers for the 13 defendants appealed the court's conviction of their clients. According to Sahrawis and Sahrawi defense lawyers in Rabat, an appellate court in Marrakesh at the end of the summer upheld the original conviction. However, the court reduced all of the 3-year sentences by 1 year each. Among those detained by the police was a young Sahrawi student who claimed to have been tortured by two police officers in an isolated area near the university campus. The Sahrawi displayed fresh marks from cigarette burns to a foreign diplomat to support the allegations (see Sections 1.c., 1.d., and 2.b.).

During the late evening of May 17 in Rabat, police arrested 14 students at Mohammed V University and charged them with arson, violence against the police, erecting barricades, and impeding free movement. The students, 12 of whom were Sahrawis, had participated earlier in the evening in a solidarity protest for fellow Sahrawi students who had been arrested that morning in Marrakech. The detained students reportedly admitted to staging two sit-ins in solidarity with their peers in Marrakech, but denied, as alleged by the authorities, any use of force or violence against the police who arrested them. The police contended that the students refused to disperse, then threw rocks at them and their vehicles. According to students, near midnight the same evening, police squads returned to the university, entered it, set up checkpoints, detained students without identity cards, and broke into dormitories in search of those who participated in the sit-ins earlier in the day.

According to a lawyer who represented 13 of the accused students, one of his clients said that police took him to an unidentified location after his arrest, beat him severely, and interrogated him regarding his activities and links with other Sahrawi and human rights activists. Noting his client's difficulty in speaking in court and drawing attention to his swollen face and eyes, the lawyer requested the pretrial investigating judge to conduct a medical examination of his client, which the judge refused. According to the lawyer, after their arrest, the students were held incommunicado longer than the legal limit of 48 hours, and nobody was informed of their whereabouts during this time, as required by law. At preliminary legal proceedings on May 22 at the Rabat court of appeals, all 14 of the accused reportedly denied violent acts during the demonstration; however, in three of the police reports submitted to the court, three of the accused allegedly had admitted to violent acts. None of the depositions by the accused were signed; all were marked only by the defendants' thumbprints. After a series of hearings and delays, on November 17, the Rabat court of appeals acquitted and freed all 14 students who were detained in mid-May. According to a lawyer for the defense, all of the detained students denied before the court any involvement in the demonstration. The prosecution reportedly failed to produce any witnesses who could confirm the students' participation in the May 17 incident (see Section 1.c.).

On October 27, 10 students at the University of Hassan I in Settat were tried for their involvement in the October 23 demonstrations that police broke up violently (see Section 2.b.). Each of the 10 students reportedly declared before the court that they were forced under duress and torture to sign (by thumb prints) their police statements. According to a PPS political party communique, two of its members involved in the incident "were victims of grave physical cruelty" during their transfer to the police station and during their detention. The defendants' lawyers unsuccessfully requested that the case be dropped on the grounds that the judicial police had not, as mandated by law, notified family members of the students' arrest. The court reportedly also refused the defense's request to have the students examined by a doctor, as is permissible by law if signs of physical distress are visible. At the end of the day-long trial, the Settat court of first instance found all 10 students guilty of the charges and sentenced them to from 3 to 5 months in prison (three were given suspended sentences). Following an appeal lodged by defense lawyers, on November 9, the Settat court of appeal reduced the sentences of the seven students sent to prison, reducing four of them from 5 to 3 months and three of them from 3 to 2 months.

In an abruptly convened trial, 14 students who had been arrested during violent clashes between students and police at Mohammedia University on November 21 were convicted of disturbance of public order and sentenced to 2 years' imprisonment and fines ranging from \$50 to \$150 (500 to 1,500 dirhams). The alleged victims of the students' vandalism did not appear at the trial to testify or be cross-examined (see Sections 1.c. and 2.b.).

The Government pressed charges against 33 human rights activists who were involved in a protest before Parliament on December 9: the trial was scheduled for February 2001 (see Sections 1.c., 1.d., 2.a., 2.b., and 4).

In December 1999, Moroccan security forces that reportedly were dispatched from Rabat detained one Sahrawi in the Western Sahara city of Laayoune and two Sahrawis in the southern Moroccan cities of Tan-Tan and Agadir. Alleged to be spies serving the Polisario Front, the three reportedly were held for 8 days before their appearance in an Agadir court and before their families were informed of their detention. Family members and the AMDH denounced the nature of the arrests, calling them a violation of human rights, due process, and proof that forced disappearances still occurred in Morocco. In a public trial convened on May 30 after a lengthy and largely unpublicized police investigation that was originally to be heard by a military tribunal, the three were convicted of threatening the internal security of the state and sentenced to 3 to 4 years in prison by Agadir's court of first instance. During an appellate hearing on July 5, at the request of the public prosecutor all three were given the same sentence of 4 years. The abrupt convening of the public trial at the end of May also coincided with the decision of judicial authorities to change the jurisdiction of the case from the court of appeals to the court of first instance. (The court of first instance deals with lesser crimes punishable by sentences of 5 years and less; the court of appeals with serious crimes involving sentences of 5 years and more.) According to a lawyer representing the Sahrawis, during the trial the three accused denied any relations with the Polisario Front, contradicting confessions allegedly made during their detention (see Sections 1.b. and 1.d.). On September 27, security forces in civilian dress detained a fourth Sahrawi at the Laayoune airport as he was about to board a flight to the Canary Islands. According to the Sahrawi's daughter, who witnessed the incident, two members of the security forces drove away with her father in a car with Casablanca license plates. Almost 10 days later, the Sahrawi reappeared in Agadir and also was charged before the court of first instance for spying for the Polisario Front. Two days later, the fourth Sahrawi was sentenced to 4 years in prison for threatening the internal security of the state.

Sadok El-Kihal, a trucker and regional bureau member of the Istiqlal party's union, the UGTM, contacted AMDH during the year with accusations that he had been arrested arbitrarily, jailed, tortured, and falsely convicted by authorities in June 1999 following his participation in a national truckers strike. Arrested and jailed on charges of forming a criminal gang and setting fire to a vehicle, El-Kihal alleged that security forces in the Gendarmerie of Taouriate (Oujda province) tortured him and wrote a false police report that they forced him to endorse with his thumbprint without allowing him to read it first. El-Kihal contests that it was this police report that formed the basis of his conviction at the Oujda court of appeals, which sentenced him to 2 years' imprisonment. El-Kihal subsequently benefited from a royal pardon and was freed on May 4 (see Sections 1.c., 1.d., and 6.a.).

During the evening of June 18, up to 100 members of the security forces attacked the UMT headquarters in Rabat, where 12 Group 314 members were in the 11th day of a hunger strike. Using tear gas and batons, security forces violently cleared

all demonstrators from the area, arresting up to 100 protesters and evacuating the hunger strikers, who had been forced out by tear gas. Dozens of protesters were reported injured, some seriously. Twenty-two of those arrested, most of whom were ANDC members, were charged with "using violence against agents of authority." During their trial in July, 30 lawyers representing the 22 defendants withdrew after the tribunal refused their—and allegedly the prosecution's—request to summon witnesses. In a press conference following their withdrawal, the lawyers said "necessary conditions for a fair trial were absent." One lawyer defending the ANDC members said that there were multiple procedural errors in the conduct of the judicial investigation and the trial. The lawyer also claimed that all of the police statements regarding the defendants contained falsehoods, and that none of them had been signed. After the lawyers withdrew, the defendants refused to participate in the trial. The tribunal subsequently closed the proceedings to the public and proceeded to sentence all 22 defendants. Nineteen of the defendants received 2-month suspended sentences and \$50 (500 dirhams) fines and three were sentenced to 2 months in prison and \$50 (500 dirhams) fines (see Sections 1.c., 1.d., and 2.b.).

During and following public demonstrations in the Western Sahara city of Laayoune in September 1999, more than 150 persons were detained by police authorities. Most were released within a matter of days; however, 26 persons were tried on criminal charges for actions in connection with the protests and sentenced to imprisonment for periods ranging from 10 to 15 years. The OMDH claimed that the trial of these persons was unfair and insisted that the defendants were not provided adequate legal counsel for their defense. By year's end, none of the 26 persons convicted in 1999 had their sentences reduced or overturned (see Sections 1.f. and 2.b.).

The Government continued to hold a number of political prisoners. According to the AMDH and OMDH, seven political prisoners remained in detention at year's end. In January King Mohammed VI pardoned 2,000 prisoners, 1 of whom was Arsalan Samouzi, a political prisoner who was sentenced to 5 years' imprisonment for insulting the royal family during the reign of King Hassan II. The official Moroccan press agency, MAP, quoted the Justice Minister as saying in a July 23 television interview that there are no more political prisoners in detention. In the past, the Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that ranged from arms smuggling in the 1980's to participating in a bomb attack on a hotel in Marrakech in 1994. In the past, there also were claims that some of these Islamists were imprisoned solely for calling for an Islamic state during the 1980's. The AMDH claims that 2 members of the "Group of 26," an Islamist group involved in smuggling arms into the country from Algeria in the mid-1980's, remain in prison. The other 24 members completed their sentences or otherwise were released at various times between 1994 and the end of the year. Various international human rights groups' estimates of the number of persons in prison for advocating independence for the Western Sahara vary from none to 700. Amnesty International lists dozens of persons whom it considers to be political prisoners. According to several human rights organizations, achieving consensus on a definitively accurate number of political prisoners is extremely difficult, mainly because conditions in the Western Sahara complicate attempts to confirm whether Sahrawis were imprisoned solely for their political affiliation or open advocacy of Western Saharan independence, or whether they were imprisoned for other actions in violation of the law. The AMDH claims that it knows of no persons imprisoned for having overtly advocating Western Saharan independence.

Although the Government claims that it no longer holds political prisoners, it permits international humanitarian organizations to visit prisoners whom such organizations consider to be imprisoned for political reasons.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence.—The Constitution states that the home is inviolable and that no search or investigation may take place without a search warrant, and the law stipulates that a search warrant may be issued by a prosecutor on good cause; however, authorities sometimes ignore these provisions. Security forces allegedly entered homes in pursuit of persons associated with a strike at a water-bottling factory in February (see Sections 1.c., 1.d., 2.b., 2.d., and 6.a.). One of the lawyers representing five Sahrawi youths who were sentenced to jail terms for their alleged participation in a March 4 stone-throwing incident in Laayoune, alleged that the judicial police who investigated the affair committed several illegal acts, including unlawfully entering homes of the youths (see Sections 1.c., 1.d., and 1.e.).

During protests in Laayoune in the Western Sahara in September and October 1999, police reportedly encouraged local thugs to break into, loot, and destroy private shops. Following the protests in October 1999, police unlawfully entered homes to arrest persons associated with the demonstrations. Human rights NGO's claimed

that such police actions created a “climate of fear” in the city, forcing some families to flee the city or change residences nightly to avoid such police actions. There reportedly was no official investigation into such government actions by year’s end (see Sections 1.c., 1.d., 1.e., and 2.a.).

Government security services monitor certain persons and organizations, both foreign and Moroccan, and government informers monitor activities on university campuses.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of expression; however, the Government systematically restricted press freedom regarding a few topics that the Government considers sensitive, and appeared to increase restrictions on some other topics with the potential to reflect negatively on the country’s international image. Nonetheless, newspapers and weeklies from across the political spectrum, from Socialist to nationalist to Islamist, publish freely, and the Government permitted extensive coverage during the year of formerly taboo topics.

The Government owns the official press agency, Maghreb Arab Press (MAP), and the Arabic daily *Al-Anbaa*. The Government also supports two semiofficial dailies, the French-language *Le Matin* and the Arabic-language *Assahra*. In addition the Government provides subsidies to the rest of the press through price supports for newsprint and office space. A 1958 decree grants the Government the authority to register and license domestic newspapers and journals. Authorities may use the licensing process to prevent the publication of materials that they believe cross the threshold of tolerable dissent. Offending publications may be declared a danger to state security and seized, the publisher’s license suspended, and equipment destroyed. The Ministry of Interior may control foreign publications by collecting “banned” publications after they have been distributed. There were multiple reports that authorities pressured domestic-based printers not to print several newspapers, including two belonging to the JCO. In addition, the administrators of the new weekly publication *Demain* alleged in April that the authorities attempted to block the printing of their publication because of its investigative editorial line. According to *Demain*’s administrators, the alleged attempt to influence the magazine’s editorial line led them to move the weekly’s printing operations to Spain. The media continue to engage regularly in self-censorship to avoid the Government’s attention and possible sanctions.

The Press Code empowers the Minister of Interior to confiscate publications that are judged offensive by the Government. Under the code, the Prime Minister may order the indefinite suspension of a publication. The Press Code also empowers the Government to censor newspapers directly by ordering them not to report on specific items or events. In most past instances, government control of the media generally has been exercised through directives and “guidance” from the Ministry of Interior. However, during the year, the Government fined several journalists for articles that they had published, and sentenced one to prison. The King subsequently pardoned the journalist who was sentenced to prison, and the fines issued against the other journalists allegedly later were dropped. The Government generally tolerates satirical and often stinging editorials in the opposition parties’ dailies. However, both law and tradition historically have prohibited criticism on three topics: The Monarchy, Morocco’s claim to the Western Sahara, and the sanctity of Islam.

There were approximately 2,000 domestic and foreign newspapers, magazines, and journals in circulation during the year.

Prior to Sheikh Abdessalam Yassine’s release after 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II, the Government on February 5 temporarily confiscated from newsstands in major cities several newspapers that contained a 19-page memorandum addressed by Yassine in late January to King Mohammed VI, in which Yassine asked the King to return to the populace the wealth that he alleged that the King’s late father had stolen from the country. However, the Government permitted the three publications to be put back on the newsstands the same day. On February 8 and 9, then-Communication Minister Larbi Messari declared that the memorandum was not banned, that it was available on the Internet, and that the concerned newspapers were back in circulation. Messari reportedly said that the confiscation was “incidental,” and that censorship was absurd and no longer practiced in the country. Four members of the JCO were arrested in February for distributing the memorandum in Tangiers and Ben Slimane (near Casablanca). All four were charged with “violating the sacred institution of the Monarchy.” According to the AMDH, by February 7 the authorities had dropped the charges and released all four (see Sections 1.d., 2.c., and 2.d.).

The Government banned the distribution of the February 15–21 edition of the *Jeune Afrique L’Intelligent* weekly magazine. The weekly contained a letter by a Mo-

roccan political scientist living abroad, which criticized the reign of King Hassan II and challenged King Mohammed VI to devote greater effort to much-needed reforms. According to press reports, civilian authorities from a Casablanca commissariat asked the national distributor of *Jeune Afrique* in Morocco not to distribute the issue. In the main editorial column in the subsequent edition of *Jeune Afrique*, the editors stated that they interpreted the commissariat's request as a ban and decided to withdraw its 8,000 copies from Morocco rather than wait for its local distributor to receive the written prohibition order it had requested from the authorities; the distributor reportedly never received the order. On February 16, Communication Minister Messari sent a letter to the distributor demanding to know who in the Government had banned the issue, claiming that the Communication Ministry was not involved. The Government never established who gave the order to the local commissariat.

The Government banned the distribution of the March 4 issue of the French daily newspaper *Le Figaro*. The issue contained an article about the fate of the late Mehdi Ben Barka, former National Union of Popular Forces (UNFP—later to become USFP) party founding member and secretary general who reportedly was killed in Paris in 1965 by French thugs, allegedly at the request of the Moroccan secret service. The source of the article reportedly at the time was a physician of then King Hassan II. Although the Government gave no formal statement explaining the ban, on May 5 then-Communication Minister Messari commented at a U.N. Education and Science Organization (UNESCO) sponsored seminar on human rights that "I banned the *Le Figaro* issue ... because it contained defamation threatening to a cause of our national history."

On April 15, police at Marrakech airport seized and prevented the distribution of two related weekly investigative newspapers, the French-language *Le Journal* and its Arabic-language counterpart *Assahifa*, after their arrival from printers in France. The two domestic publications were banned at the orders of Prime Minister Youssefi after *Le Journal* published an interview that its editor in chief held with Mohammed Abdelaziz, leader of the Polisario Front. The Government's ban of the publications coincided with the visit to the country of U.N. High Commissioner for Human Rights Mary Robinson. The Government explained the ban in a Communication Ministry communique the same day, characterizing *Le Journal's* interview with Abdelaziz "an event organized by certain milieus hostile to our country (and) in homage to the separatist (Sahrawi) impudence." The communique also cited as explanation "the extension of constant excesses in the editorial line of the two publications with regard to the handling of the question of our territorial integrity."

Aboubakr Jamaï, editor in chief of *Le Journal*, criticized the government decision to censor the newspaper, claiming that other Moroccan publications recently had published similar articles containing material from interviews with the Polisario Front leader. At a press conference convened on April 17 by *Le Journal's* and *Assahifa's* parent corporation, Mediastudio, Jamaï expressed concern that the ban likely had more to do with his paper's aggressive reporting on other topics. On April 17, the board of directors of the state-run television station 2M fired the station's top three officials for, according to Communication Minister Larbi Messari, having made a "professional mistake" during an April 14 broadcast. The professional mistake is widely believed to have been the station's televised reference in its evening newscast to *Le Journal's* controversial interview with Polisario Front leader Abdelaziz. On April 29, government spokesperson Khalid Alioua apologized for the ban of *Assahifa*, calling it an error. Unlike in *Le Journal*, *Assahifa* contained no reference to the interview with Abdelaziz. On April 19, the AMDH reacted to the bans of the two newspapers and the firing of 2M's leadership by issuing a communique criticizing decisions that "gravely threaten the freedom of the press."

On April 26, a Casablanca court convicted Mustapha Alaoui, the editor of the Arabic-language daily *Al-Ousbou*, of libel and defamation of Foreign Minister Mohammed Benaïssa, for a controversial article Alaoui published that alleged financial misfeasance in a real estate matter involving Benaïssa while the latter served abroad as an ambassador. The court sentenced Alaoui to 3 months in prison, forbade him to practice journalism for 3 years and ordered him to pay approximately \$100,000 (1,000,000 dirhams) in damages to Benaïssa and a \$2,000 (20,000 dirhams) fine. On April 27, Khalid Mechbal, the editor of the Tangiers-based weekly news publication *Al-Shamal*, also was convicted of libel and defamation in a case lodged by Benaïssa for publishing a similar article. Mechbal received a 6-month suspended jail term, was forbidden from practicing journalism for 1 year, and was ordered to pay an approximately \$2,000 (20,000 dirhams) fine. On May 3, another court convicted Alaoui of libel and defamation for an article he published concerning Fouad Filali, the estranged former brother-in-law of King Mohammed VI; Alaoui was sentenced a 3-

month suspended jail term and ordered to pay approximately \$10,000 (100,000 dirhams) in damages and a \$500 (5,000 dirhams) fine.

Journalists and human rights activists protested the court's decision to invoke statutes from the Criminal Code—rather than the Press Code—to punish the editors and ban them from exercising their profession. The Moroccan National Press Union (SNPM) stated in an April 27 communique that “the pronouncement of prison terms in issues of publishing and the press flagrantly contradicts the rule of law and the freedom of expression.” On May 3, human rights activists and journalists demonstrated in front of the Communication Ministry to express their concerns about the convictions and other press censorship cases. Mustapha Alaoui stated that “not even in the time of the French protectorate had a Moroccan journalist ever been forbidden from exercising his profession.”

After immediately appealing the Casablanca court's decision, Alaoui and Mechbal learned in late May that the King had pardoned them, and allowed them to return to their professions without serving time in jail. However, they still were obligated to pay the damages and the fines. On July 6, while Alaoui awaited an appellate hearing to determine the issue of damages and fines, the authorities banned Alaoui's newspaper from publication, and forbade Casablanca printers from printing it. According to press reports, on July 31, the Casablanca court of appeal accepted reciprocal requests from lawyers representing Alaoui and Benaissa to withdraw Alaoui's appeal and Benaissa's civil litigation. The press reports indicated that the court of appeal also reduced Alaoui's \$2,000 (20,000 dirhams) fine to \$100 (1,000 dirhams); however, independent sources alleged that Alaoui's fine was dropped altogether, as were the damages that he originally was ordered to pay to Benaissa in April.

On May 15, the Paris-based Reporters Without Borders (Reporters Sans Frontières—RSF) criticized Morocco for banning seven local and foreign newspapers, and appealed to King Mohammed VI to ensure press freedom. The International Committee to Protect Journalists also raised the same concerns in a letter to Prime Minister Youssoufi in the spring.

According to press reports in late May and early July, the authorities allegedly blocked the publication of two newspapers, *Al-Adl Wal Ihsane* and *Rissalat Al-Futuwa*, associated with Sheikh Yassine's Justice and Charity Organization. The authorities reportedly ordered printers of the two newspapers to suspend their distribution (see Sections 1.d., 2.c., and 2.d.). In September the directors of the two publications delivered to human right organizations and the press a letter that claimed that government authorities had issued administrative orders against the publication and sale of the two newspapers. The directors also stated that various printers had been threatened and pressured not to print the newspapers.

In its June 23–29 issue, the independent weekly *Le Journal* reported that the secretary general of RSF had written a letter to Interior Minister Midaoui protesting the Government's “heavy surveillance” of a visiting French journalist, and its confiscation of the reporter's videocassette tapes as he was leaving Rabat airport. The secretary general asked Minister Midaoui to “provide him with explanations” of the Government's actions. The French journalist allegedly was writing an investigative article about Mehdi Ben Barka, a leftist political leader allegedly kidnapped and murdered in Paris in 1965 by French thugs at the request of the Moroccan secret service.

During a protest by disabled unemployed university graduates on September 12, police reportedly attempted to remove the camera equipment of one photojournalist covering the demonstration, and jostled and threatened other news correspondents on the scene (see Sections 1.c. and 2.b.).

In its September 23–29 edition, *Le Journal* reported that government authorities banned the distribution of a September issue of the London-based magazine *The Economist*, which contained a report on Morocco's August announcement of new oil finds in the eastern part of the country. The *Economist* report questioned the scale of the findings as announced by the Government. A local representative of *The Economist* confirmed the banning.

On October 4, at a press briefing convened by the Government, Interior Minister Midaoui publicly threatened Aboubakr Jamaï, the director of *Le Journal*, warning against publishing sensitive stories related to Mohammed Abdelaziz, the leader of the Polisario Front. Midaoui threatened to ban *Le Journal* again if the newspaper conducted and published more such interviews. RSF responded to the incident with a letter to Prime Minister Youssoufi, which related the NGO's concerns about the recent decline in press freedoms.

In early October, over the period of several days, the Government accused of espionage, detained, and held under house arrest three French television journalists from France's FR3 television station, who were reporting on a government-author-

ized human rights demonstration at the notorious former secret detention center of Tazmamart. Despite their possession of two authorization papers from the Government to tape throughout the country, the journalists were stopped by security forces after they had taped the former detention center the morning before the October 7 demonstration. (Other domestic and international media later filmed the same footage without incident.) Local justice officials summoned the FR3 journalists to a nearby tribunal on October 8, but the journalists refused the officials' request to hand over the material that had been taped at Tazmamart. The journalists then were placed under house arrest in the city of Er-Rachidia by security forces and kept under surveillance. During this time, the authorities confiscated the journalists' video material, passports, and personal belongings, and accused them of "violating military secrets" for videotaping Tazmamart (which became a military weapons depot after the secret detention center closed in 1991). After French officials intervened, the authorities released the three journalists on October 9. Before leaving the country, the journalists signed a document agreeing to return to cooperate with the legal investigation of the affair. One of the FR3 journalists who was detained was Joseph Tual, the French journalist who had been monitored in June and whose video material then also was confiscated by security forces at Rabat airport.

On November 4, the Government withdrew the accreditation and ordered the expulsion of Claude Juvenal, a Morocco-based French correspondent for Agence France Presse (AFP). According to MAP, a source from the Ministry of Culture and Communication stated that Juvenal had "breached professional ethics by engaging in initiatives hostile to Morocco and its institutions." According to the semiofficial daily newspaper *Le Matin du Sahara*, Juvenal had "for several years continually, and in sheer bad faith, cast doubt on, criticized and misrepresented every initiative and reform undertaken by Morocco." Juvenal's expulsion resulted in a strong negative reaction from domestic and international media. The SNPM issued a communique protesting the expulsion, stating that the authorities' justification for the expulsion "remains ambiguous and hence unacceptable." The SNPM in its communiqués and the RSF claimed that the expulsion illustrated growing intolerance by the authorities toward press freedom. A group of Morocco-based Spanish journalists wrote a letter to Minister of Culture and Communication Mohammed Achaari, in which they expressed their concerns that similar measures could be taken "at any moment against other journalists" and informed the Minister that they were seeking the protection of the Spanish Government and the European Union for themselves. Minister Achaari refused to explain the reasons for the expulsion when he was asked on national television.

On December 2, Prime Minister Yousseoufi banned indefinitely three independent weekly publications known for their politically sensitive investigative reports. The Prime Minister banned the French weekly publications *Le Journal* and *Demain* and the Arabic weekly *Assahifa*, a sister publication of *Le Journal*, after they published or commented on a 1974 letter alleging that Yousseoufi had participated in coup plotting with other leftist leaders and the military against then-King Hassan II in 1972. In banning the three publications, Yousseoufi used the highly controversial and long-criticized Article 77 of the Press Code, which allows both the Prime Minister and Interior Minister to ban any publication that "threatens the kingdom's political and religious foundations." At their press conference on December 3, the three editors in chief of the banned publications criticized the banning as "a manifestation of intellectual terrorism." The SNPM denounced the ban and the application of Article 77, urging the Government to reconsider its decision and to reform the entire Press Code. The AMDH also protested the ban, calling it a violation of the Constitution and international conventions on human rights. International NGO's criticized the banning as well. RSF called attention to the fact that Yousseoufi had promised to defend press freedoms upon assuming office in 1998, including revision of the entire Press Code. In mid-December, two of the three weeklies filed a lawsuit against the government at the administrative court of Rabat. In the meantime, *Le Journal* filed paperwork to establish a new publication; approval of the application was still pending at year's end.

Also in mid-December, the Government confiscated and prevented distribution of the December 14-20 printed issue of the international publication *Courier International*. The publication contained four pages of articles written by the editors in chief of the three domestic weeklies banned indefinitely by Yousseoufi on December 2. In their articles, the editors in chief attacked the Prime Minister's decision to shut down their publications. The electronic versions of the articles were available in the country on *Courier International's* Internet web site.

Police reportedly confiscated journalists' photography equipment during their December 9 and 10 violent dispersions of human rights activists and JCO members in Rabat and other large cities (see Sections 1.c., 1.d., 1.e., 2.b., and 4).

In general press articles containing unflattering material that routinely had been prevented from circulation in past years, with the exception of those related to the topics the Government still considers sensitive, were permitted free circulation during the year. These included reports on corruption in the Government and military, financial scandals at public institutions, sensitive human rights-related court cases, torture, violence against women, the exploitation of child maids, prostitution, poverty, abandoned children, and harsh conditions inside prisons.

In an October 23 "Open Letter to the Minister of Justice" that it distributed to domestic as well as international media, the AMDH for the first time published a list containing 14 names of alleged former torturers and officials involved in disappearances and arbitrary detention. The first domestic newspaper to republish the list was *Le Journal*. Agence France Presse then distributed the list of names abroad through its wire services. Some of the listed names were high-ranking officials currently holding office. In the letter, the AMDH called for "the truth and pursuit of those responsible for disappearances." The AMDH also criticized the Justice Ministry for its alleged nonintervention in past cases of torture and disappearance (see Section 1.c.).

Also in October, the Government lifted its 17-year ban on the book "For Bread Alone" ("Le Pain Nu") by the Moroccan writer Mohammed Choukri. The book had been banned during King Hassan II's reign reportedly for its sexually explicit overtones.

Throughout the year, journalists, NGO's, and human rights activists increased their calls on the Government to enact a new public liberties law, which Prime Minister Youssoufi announced that he would enact when he assumed power in 1998. In January 1999, 42 NGO's addressed a memorandum to the Prime Minister proposing amendments to the law that governs the press, associations, and public gatherings. Their proposals were aimed at easing current restrictions and giving associations more freedom to organize and function. The present Public Liberties Law dates from 1958, and many legal observers agree that the sole amendment to the law, which was ratified in 1973, constituted a setback to civil liberties. The amendment apparently introduced restrictions that established firmer government control over the legal establishment of associations and the associations' scope of action once they are recognized legally and allowed to operate. In January before Parliament, Youssoufi announced his intention to open a debate on the law. However, unsatisfied with what it perceived to be the Government's slow handling of the issue, the NGO network Espace Associatif held a large roundtable conference in March in which it discussed reform of the law and urged the Government to act more quickly and transparently. In an April communique following the censorship of *Le Journal* and *Assahifa*, the AMDH demanded "the immediate modification of the Public Liberties Law and abrogation of all constraints that hinder freedom of the press." At the same time, the OMDH issued a communique expressing frustration at the Government's slow progress with respect to the reforms that the OMDH had called for on numerous occasions. In May the Moroccan Barrister's Association also called for reform of the Public Liberties Law.

In July and November, the King announced in two nationally televised speeches that the Government was preparing legislation for reforming the Public Liberties Law. Prime Minister Youssoufi's Cabinet discussed draft legislation and reviewed a draft in mid-December. The SNPM on December 19 rejected the draft Press Code contained in the three-part legislation on the grounds that the SNPM had not been consulted during the code's formulation. The SNPM claimed that the draft text still permitted the Government to seize, confiscate, and ban publications, and to punish those convicted of libel and defamation with jail sentences. Domestic media and human rights activists long have criticized these central provisions, which widely are perceived to repress and stifle the freedom of expression. No final decisions were made by year's end regarding the public liberties legislation. Before presenting the draft legislation to the Cabinet in December, Prime Minister Youssoufi presided over two interministerial discussions of the law in May and July.

The Government controls Radio-Television Marocaine (RTM) broadcasts. Another

monitors broadcasts. Privatization of these stations continued to be a major topic of political debate during the year, and the Government announced in 1998 that it was preparing a plan for 2M's resale to the private sector.

In its October 28-November 3 issue, the independent magazine *Demain* reported that since July the Government had censored five broadcasts of a local news team that worked for the Qatari satellite television station Al-Jazira. According to *Demain's* and other press reports, spokesmen for the government-controlled television stations stated that the censored broadcasts (of domestic news items) were "technical problems" experienced during satellite transmissions. In late October, the SNPM criticized what it perceived to be a ban on the Qatari station, charging that the government-controlled television stations allowed other Arabic television stations to broadcast from the country. The Government had recalled its ambassador to Qatar in mid-July, allegedly in diplomatic retaliation for the Qatari Government's votes against Morocco's bid to host the 2006 World Cup and its bid for the presidency of the Organization of the Islamic Conference. The Government also allegedly was concerned over what it perceived to be several negative reports on Morocco that recently were produced by Al-Jazira.

For the past 13 years, the popular humorist Ahmed Snoussi (also known as Bziz) has been prohibited from performing in the country due to his satire of those in power. While the authorities allowed Bziz to perform at the Mohammed V Theater in Rabat during the summer, he still is prohibited from performing live on television. He also faces restrictions on performing on university campuses. In November the authorities reportedly prevented him from accepting students' invitations to perform at universities in both Rabat and Tangiers.

In April Reuters news services reported the lifting of a 13-year ban on a book that described harsh conditions in a high-security prison. According to the author, Abdelkader Chaoui, his book "The Unachieved Past" had been banned since its publication in 1987. The book described the harsh conditions of the Kenitra prison in which Chaoui was held for 15 years. Chaoui was jailed in 1974 because of his leftist political opinions (see Section 1.c.). In November in Marrakesh, the King awarded Chaoui a literary prize for his most recent novel.

After 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II, Islamist dissident Sheikh Abdessalam Yassine was allowed to leave his Sale home on May 16. Yassine's release came after a May 10 statement by the Minister of Interior before Parliament that the Sheikh "leaves and returns to his residence as he likes." The Minister also stated that Sheikh Yassine was free to take his case to court if he felt his rights were being abused. Yassine's books, articles, and audio cassettes were sold only at some bookstores; however, editorials calling for his release prior to the Government's action were published without impediment (see Sections 1.d., 2.b., 2.c., and 2.d.).

In May the wire service Agence France Presse and the French daily newspaper *Le Monde* reported that Government had banned the book "Letter from Morocco," which was written by Christine Serfaty, the wife of former political dissident Abraham Serfaty (who was allowed to return to Morocco in September 1999 after 8 years of exile and 17 years of imprisonment). According to the two sources, the preface of Serfaty's book allegedly caused advisors at the Royal Palace to ban its distribution; the preface referred to Serfaty's collaboration with a French author on a controversial book, "Notre Ami Le Roi," which has been banned in Morocco since it was published in 1990 for its criticism of the rule of then-King Hassan II. In an interview given by Abraham Serfaty to *Jeune Afrique L'Intelligent* in September, the former exile claimed that his wife's book had not been banned, but rather "bookstores (in Morocco) that would like to import the book still cannot." In October Christine Serfaty claimed in an interview with *Jeune Afrique L'Intelligent* that she did not believe that a banning was in effect because she had received copies of her book from abroad through the postal system. However, she said that Moroccan bookstores that ordered her book still were waiting to receive it from the national distributor. The distributor reportedly sent the book to the government agency responsible for reviewing publications before their entry onto the market. The agency had yet to release the book to the distributor by year's end.

Also in May, the Government permitted the local publication and sale of a comic book called "They Even Starve Rats." Written and illustrated by Abdelaziz Mouride, a former leftist student whom the authorities arbitrarily detained in 1974, sentenced to 22 years in prison, and then freed in 1984, the comic book vividly recounts the torture, injustice, and humiliation that he and other political dissidents suffered at the hands of the authorities (see Section 1.c.).

Dish antennas permit free access to a wide variety of foreign broadcasts and are available at low cost on the market. The antennas are in wide use throughout the country. Residents of the north are able to receive Spanish broadcasts with standard

antennas. The Government does not impede the reception of foreign broadcasts or Internet access.

The universities enjoy relative academic freedom in most areas, but are barred from open debate on the Monarchy, the Western Sahara, and Islam. Government informers monitor campus activities (see Section 1.f.) and rectors are approved by the Ministry of Interior. Police and university students conducting elections clashed violently during the fall at university campuses throughout the country (see Sections 1.c., 1.e., and 2.b.).

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the law also permits the Government to suppress even peaceful demonstrations and mass gatherings, and at times police forcibly prevented and disrupted gatherings during the year. Most conferences and demonstrations require the prior authorization of the Ministry of Interior, ostensibly for security reasons.

Throughout the year, many meetings and marches took place peacefully without government interference; however, numerous demonstrations involving unemployed demonstrators were disrupted by the Government. Security forces often resorted to violent means to disperse and prevent from marching unemployed demonstrators, including the ANDC, the Group 314, disabled unemployed protesters, and other affiliated groups. Security forces also used violent means to disperse human rights activists and members of Islamist organizations late in the year. In early October, the Denmark-based organization EMHRN noted that “measures inspired by security police are still in existence; force is being used, outside the law, with protesters and, notably, with unemployed academics.”

During their February 2 operation in the village of Tarmilet (48 miles from the capital), security forces used force to remove striking workers who had blockaded a water-bottling factory. The operation, which involved a large-scale military presence and reportedly was led by senior military officers, took place after a court order in January had ruled in favor of the factory owners who charged the protesting workers with interruption of means of production and obstructing the freedom to work. Dozens of strikers and members of the security forces were injured during the operation (see Sections 1.c., 1.d., 1.f., 2.d., and 6.a.).

On two consecutive days in February, security forces violently dispersed striking members of Group 314 (unemployed doctoral graduates of medicine and engineering). Members of Group 314 conducted a sit-in on February 10 at the Ministry of Employment and were dispersed by charging security forces, who beat the protesters with their hands, boots, and batons. Police arrested eight protesters, who later were released without charges. Seven protesters reportedly were injured. On February 11, approximately 300 members of Group 314 staged a sit-in before the Wilaya (regional office of the Interior Ministry) of Rabat to demand the release of the 8 members who were arrested the previous day. Approximately 200 members of the security forces intervened to disperse the demonstrators, again using violent methods. This time, police arrested four protesters, who also later were released without charges. Employment Minister Khalid Alioua denied during a February 10 press briefing that abusive acts against the group had occurred (see Sections 1.c. and 1.d.).

On March 1, security forces in the Western Sahara city of Smara violently dispersed Sahrawi students and their families who were demonstrating in solidarity with Sahrawi students in the nearby Moroccan city of Agadir. Police had disrupted violently demonstrations by the Agadir students on February 28 and 29. The Agadir students were protesting the December 1999 incarceration of three Sahrawis accused of spying for the Polisario Front (see Sections 1.b. and 1.d.). The Sahrawi students and families in Smara organized a march toward the police station, which security forces subsequently broke up forcefully. Dozens of persons allegedly were injured, as were a dozen police officers. According to reports, nobody was arrested during the protest.

Security forces used force to break up a May 3 demonstration in Meknes by members of the ANDC and other unemployed protesters (see Sections 1.c. and 1.d.).

On May 11, police violently broke up a peaceful demonstration in front of the Tunisian Embassy, where approximately 50 human rights activists had gathered to protest the Tunisian Government's treatment of a Tunisian journalist (he was on a hunger strike) and his family. After issuing an order to cease the demonstrations, police used force to disperse the activists, pushing them, beating their legs with batons, tearing up their posters, and pursuing them down side streets. Police reportedly injured six protesters.

On May 12, at the Ministry of Finance, police used excessive force to disperse approximately 500 engineers who were preparing to hold a sit-in to protest their terms of employment. Police used batons to disperse the protesters, clubbing a regional

leader from the independent Moroccan Workers Union, who was knocked unconscious and required hospitalization. When the protesters regrouped nearby, the police again pursued them, and used batons to disperse them. Some police reportedly entered a ministry building and clubbed innocent bystanders whom they mistook for protesters. The International Confederation of Free Trade Unions in Brussels issued a communique that denounced police for using brutal methods against the protesters and asked the Government "to work to put an end to brutal attacks against peaceful trade-union demonstrations." On May 17, the OMDH issued a communique that strongly criticized the brutal police actions on May 11 and 12, and questioned the Government about "the objective of using violence against civil society" at a time when royal speeches on human rights urged a new and more humane relationship of authority between the Government and citizens.

On May 17 and 18, police violently broke up student demonstrations in Marrakech, initially detaining 30 to 40 mostly Sahrawi participants. There were conflicting accounts regarding the origins of the large-scale demonstrations (see Sections 1.c. and 1.d.).

Within a 1-week period in June, security forces in the capital used excessive force to break up both a march by unemployed graduates associated with the ANDC and to evict 12 Group 314 hunger strikers from UMT's Rabat headquarters. According to eyewitnesses, on June 13, hundreds of security force members violently stopped up to 4,000 members of the ANDC from staging a protest march at the Parliament. Security forces used batons, chased protesters down streets, and violently dispersed large groups of marchers who had gathered before the Parliament. Thirty-three protesters reportedly were injured during the violent dispersal, 2 of them seriously. Over 20 persons were arrested, all of whom later were released without charges. On the evening of June 13, authorities detained two union leaders not involved in the demonstrations and released them the following day without charges (see Sections 1.c. and 1.d.).

During the evening of June 18, up to 100 members of the security forces attacked UMT headquarters in Rabat, where 12 Group 314 members were in the 11th day of a hunger strike. The attack allegedly began after ANDC demonstrators outside the headquarters threw rocks at security forces. Security forces then reportedly threw the rocks back at the demonstrators, breaking windows in the process, and fired tear gas into the building. They subsequently used force to clear all demonstrators from the area, arresting up to 100 persons. Security forces then removed the hunger strikers, who had been forced out by the tear gas. Later in the evening, the authorities cut the water and electricity supply to the UMT's headquarters, which they restored the following morning. Dozens of protesters were injured, some seriously. Twenty-two of those arrested were charged with "using violence against agents of authority;" 19 received suspended sentences and 3 received 2 months' imprisonment. Prime Minister Yousoufi convened an interministerial meeting on June 19 to address the violence and condition of the unemployed population. The Government stated that it "affirms its choice of dialog and rejects all forms of pressure and tension." Justice Minister Azziman then met with some members of the ANDC. On July 5, the Group 314 hunger strikers ended their 28-day strike after a meeting with the Government, in which both sides pledged to engage in a substantive dialog (see Sections 1.c., 1.d., and 1.e.).

On July 26 in downtown Rabat, police violently dispersed disabled unemployed university graduates, who were protesting the denial of their right to employment. The protesters arrived in Rabat from throughout the country to meet the Secretary of State in charge of the disabled, whom they accused of reneging on promises to assist them. The police reportedly removed the disabled protesters to the Ain Atiq detention center, outside the capital. On September 12, police again used force to break up a protest by approximately 40 disabled graduates before the Parliament. There were reports of injured protesters and, according to a communique issued by an association of unemployed handicapped university graduates, police again removed uninjured handicapped protesters to the Ain Atiq detention center. Police reportedly attempted to remove forcibly camera equipment of one photojournalist covering the demonstration, and jostled and threatened other news correspondents on the scene. The SNPM issued a communique criticizing the police treatment of the journalists, claiming that it was not the first time security forces exhibited such behavior toward them (see Sections 1.c., 2.a., and 5).

On October 9 in Casablanca, police dispersed with tear gas 2,000 to 3,000 Islamists who were protesting the Israeli Government's use of force against Palestinians in Israel, the West Bank, and Gaza in September and October. Islamist leaders had asked for and were refused permission to hold the demonstration.

On October 23, security forces used violent means to break up a demonstration by students preparing to begin a march to protest transportation problems at Has-

san I University in Settat (southeast of Casablanca). Police intervened when the students were gathering on the edges of the university for a march toward the Wilaya of Settat. The police arrested 10 students, some of whom reportedly were not participating in the march, and accused them of disobedience, inciting disobedience, violence, and contempt of public servants while exercising their functions. Numerous students reportedly were injured in the violence, as well as two policemen. Press reports indicated that security forces intervened once students belonging to the Justice and Charity Organization inserted themselves into the march and began chanting anti-Israeli and anti-American slogans. Security forces reportedly clubbed students indiscriminately with truncheons, even entering neighborhood cafes and cafeterias to do so. After two of its youth members were detained in the incident, the political bureau of the PPS political party issued a communique on October 27, in which it claimed that security forces acted with "unprecedented brutality" in pursuing and attacking students indiscriminately within university grounds and in neighboring streets, and in conducting "targeted arrests." At their trial on October 27, the 10 students were sentenced to between 3 and 5 months in prison (three were given suspended sentences); the students' sentences later were reduced on appeal (see Sections 1.c. and 1.e.).

On November 5, security forces reportedly used violent force to break up a sit-in by ANDC members in the southern city of TanTan. The local ANDC branch had called for a march to protest the lack of employment opportunities in the city, irregularities in the region's hiring practices, the lack of dialog with the authorities, and the local governor's abusive treatment of ANDC members. The police reportedly injured 25 demonstrators, 3 seriously, during the attack.

On November 21, security forces violently clashed with JCO students at Mohammedia University (in the Casablanca suburbs) as the latter prepared for annual student elections. According to news reports, over 100 students were injured and 14 arrested. Police claimed that they responded because the students illegally remained on campus overnight and committed acts of vandalism. The students were sentenced to 2 years' imprisonment and fines ranging from \$50 to \$150 (500 to 1,500 dirhams) (see Sections 1.c. and 1.e.). Other reports indicated that similar although less violent clashes occurred between security forces and JCO students at other university campuses around the country engaged in student elections.

On November 27, security forces reportedly used violent means to break up a 5-day sit-in strike at a canning factory in the southern city of Agadir. The attack reportedly resulted in the death of one worker and injuries to eight others (see Sections 1.a., 1.c., 1.d., and 6.a.).

During the weekend of December 9–11, security forces throughout the country used violent means to disperse human rights activists, members of the JCO, and unemployed graduates who gathered separately in Rabat and other large cities to demonstrate for different reasons. The three groups decided to gather despite a prior Interior Ministry statement that the gatherings were unauthorized and would be forbidden. On December 9, human rights activists from the AMDH and Forum for Truth and Justice (FMVE) gathered before the Parliament to demand trials for those responsible for past arbitrary detention, forced disappearance, and torture. Security forces violently attacked the demonstrators with truncheons and arrested about 40 persons. Security forces also reportedly confiscated journalists' photography equipment. After spending 1 night in jail, 39 of the detained protesters appeared before the court of first instance in Rabat the following day and were released that evening. The Government pressed charges against 33 of the demonstrators; the trial was scheduled for February 2001. The AMDH's president Abderrahmane Benameur, who was among those arrested and released, condemned the use of violence by security forces, characterizing such violence as "a step backward in human rights." On December 17, the AMDH filed a lawsuit in Rabat's administrative court against the Government for banning its demonstration. On December 10, the FIDH issued a communique, in which it expressed its "extreme concern" regarding the Government's suppression of peaceful gatherings.

Later during the weekend, in Rabat and other large cities, security forces again resorted to violent force to break up public gatherings by members of the JCO. The JCO had called for peaceful nationwide protests in large cities to demonstrate against the Government's banning of their newspapers and to demand the legalization of their organization. At the Rabat train station, security forces used truncheons to disperse violently assembled JCO members, and arrested dozens of persons. The authorities again confiscated photography equipment, including that of demonstrators and of a British Broadcasting Company journalist. The authorities charged 18 of those detained with holding an unauthorized demonstration. Their trial was scheduled to take place in January 2001. Security forces violently dispersed a similar demonstration in Casablanca on the same day, arresting hundreds

of additional JCO demonstrators; all of the Casablanca demonstrators had been released by year's end. Of the released demonstrators, 22 were scheduled to be tried in early 2001.

On December 11, security forces used force to arrest members of the ANDC who had gathered before the Parliament to protest against Government inactivity regarding their unemployment. Those arrested later were released.

During the year, there were no new developments related to the police excesses in the Western Saharan city of Laayoune in September and October 1999, in which police used brutal force to break up demonstrations organized by students, unemployed graduates, miners, and former Sahrawi political prisoners. Some who were detained during the police violence were subjected to systematic beatings and other forms of physical coercion. Most of those detained were released; however, 26 persons were charged and sentenced to between 10 and 15 years in prison on charges of destruction of property during the protests. Despite appeals lodged by defense lawyers during the year, none of the sentences were reduced or overturned.

In the aftermath of the September 1999 protests, King Mohammed VI immediately replaced the governor of the province, relieved the local police chief of his duties, and dispatched military security forces to the city to help restore order. A new royal commission was dispatched quickly to the city by King Mohammed VI to explain to local residents proposed new measures to decentralize authority in the region, which would allow local residents more of a choice in their affairs, and to propose elections to choose members to a royal advisory council on the Western Sahara.

Despite these actions taken to restore confidence and order and to lessen tensions, renewed violence broke out in late October 1999. There were credible reports that police provoked the violence and there were further credible reports that police authorities unlawfully entered homes to arrest persons associated with the demonstrations in September 1999. Thirty-one persons reportedly were detained. Of these persons, 10 reportedly were released within 24 hours and the remainder released within the following 2-week period.

No investigation has been initiated into the excessive use of force by the police, nor have any charges against police been filed. There also was no progress during the year on local elections to choose members to the proposed royal advisory council on the Western Sahara.

However, there also were numerous peaceful protests during the year. For example, on February 4, 60 Sahrawi students organized a sit-in protest in front of the Ministry of Human Rights to protest what they claimed to be the illegal detention of 3 Sahrawis who were detained in December 1999 and accused of espionage activities on behalf of the Polisario Front (see Sections 1.b. and 1.e.). The sit-in proceeded peacefully. On February 18 and 19, teachers who were members of two different trade unions protested without disruption for 2 consecutive days the freezing of family allowances and teacher promotions. On March 4, hundreds of supporters and members of the NGO Forum for Truth and Justice, which was created by former political prisoners and their survivors, staged a sit-in before the notorious Derb Moulay Cherif police station to demand an accounting for and details regarding over 30 years of forced disappearance and arbitrary arrest. Police did not intervene. On March 12, two large rallies took place in Rabat and Casablanca that collectively involved over 200,000 persons. The march in Rabat was called by civil society in observance of the international day for women. The march in Casablanca was a counterdemonstration organized by Morocco's two major Islamist groups. In spite of the large numbers of demonstrators and the political sensitivity of the marches, they both proceeded peacefully and without intervention by security forces (see Section 5). To protest government inaction on their behalf, 115 members of Group 314 staged a 48-hour hunger strike on March 17 and 18. The hunger strike proceeded peacefully, without any incidents or intervention by security forces. On May 3, journalists and human rights activists peacefully demonstrated in front of the Ministry of Communication against several cases of press censorship. On October 7, hundreds

meetings in municipal council and administration buildings, not to the public halls that routinely are used by unions, parties, NGO's, and other groups.

According to Youssef's November 5, 1999 revocation, only a declaration of a public meeting would be necessary for public meetings to proceed. However, on November 25, 1999, several weeks following the Prime Minister's revocation of Basri's order, government spokesperson Khalid Alioua announced that—in apparent contradiction to the Prime Minister's revocation—both a declaration and authorization must be issued before public-venue meetings could proceed. Alioua attributed the Government's decision to a series of illegal sit-ins and protests in public spaces that had followed the revocation. Human rights organizations reacted negatively to the announcement. The OMDH issued a communique that criticized the decision as illegal. The OMDH cited the 1958 Public Liberties Code and Youssef's November directive in asserting that a declaration alone suffices to proceed with a public meeting, and that meetings may be prohibited only if deemed a threat to public order. Since the Government's November 25 announcement, local observers generally agree that the authorities indiscriminately apply the authorization rule, allowing those demonstrations to proceed that it considers inoffensive.

After violent police suppression of demonstrations in Rabat in October 1998, Basri agreed in December 1998 to recognize officially the ANDC, whose request for recognition had been pending for 7 years. Basri also agreed to grant members of the group 5,000 taxi licenses. Members of the ANDC also were invited by then-King Hassan II to a national conference on unemployment in December 1998. In June 1999, the Ministers of Interior and Employment toured the regions to instruct walis (regional and city leaders appointed by the Interior Ministry) and governors on how to take steps to reduce unemployment, and to listen to the needs of the unemployed. However, despite repeated meetings with the Ministers of Interior and Employment, the ANDC has not obtained official recognition, and the promised taxi licenses have not been issued.

The Constitution provides for freedom of association; however, the Government limits this right in practice. Under a 1958 decree, which was amended substantially in 1973 to introduce restrictions on civil society organizations, persons who wish to create an organization must obtain the approval of the Ministry of Interior before holding meetings. In practice the Ministry uses this requirement to prevent persons suspected of advocating causes opposed by the Government from forming legal organizations. Historically, extreme Islamist and leftist groups have encountered the greatest difficulty in obtaining official approval. Although there are over 20 active Islamist groups, the Government has prohibited membership in 2, the JCO and Jama'a Islamia, due to their perceived anti-Monarchy rhetoric. Political parties also must be approved by the Ministry of Interior, which has used this power to control participation in the political process. However, individual Islamists are not barred from participating in recognized political parties. The last known instance in which a proposed political party failed to receive such approval was in 1996, when an Islamist group's application was not approved. The group instead was permitted to present candidates for the 1997 elections under the banner of an existing party. One Islamist party, the Party for Justice and Development (PJD—formerly the Popular Democratic Constitutional Movement), won nine seats in Parliament in the 1997 elections. In by-elections held in August, the PJD won two additional seats in Parliament.

During the summer, the Government prevented members of the JCO from gaining access to campgrounds and beaches for group prayer sessions, and arrested and jailed some of the group's members (see Sections 1.d., 2.a., 2.c., and 2.d.).

c. Freedom of Religion.—The Constitution provides for freedom of religion; however, only Islam, Christianity, and Judaism are tolerated in practice. The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful," with the responsibility of ensuring "respect for Islam." In 1996 a small foreign Hindu community received the right to perform cremations and to hold services, and other foreign communities enjoy similar religious privileges. However, Baha'is face restrictions on the practice of their faith. The Government monitors the activities of mosques.

The Government does not license or approve religions or religious organizations. The Government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

Islamic law and tradition call for strict punishment for any Muslim who converts to another faith. Citizens who convert to Christianity and other religions sometimes face social ostracism, and in the past a small number have faced short periods of questioning by the authorities. Voluntary conversion is not a crime under the Criminal or Civil Codes; however, the authorities have jailed some converts on the basis of references to Koranic law. Any attempt to induce a Muslim to convert is illegal.

Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly. The Government cited the Penal Code prohibition on conversion in most cases in which courts expelled foreign missionaries.

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. The authorities sometimes suppress the activities of Islamists, but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent the use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

After 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II, Islamist dissident Sheikh Abdessalam Yassine was allowed to leave his Sale home on May 16. On May 17, Sheikh Yassine then received at his home leading council members of his Justice and Charity Organization, attended a Sale mosque prayer service on May 19, and gave a May 20 press conference that was attended widely by domestic and foreign media representatives. In February prior to Sheikh Yassine's release, the Government temporarily confiscated several newspapers that printed a 19-page memorandum addressed by Yassine to King Mohammed VI asking for the King to return to Moroccans the wealth that Yassine alleged the King's late father had stolen from them. On February 8 and 9, then-Communication Minister Larbi Messari claimed that the memorandum was not banned, that it was available on the Internet, and that the concerned newspapers were back in circulation. Messari stated that the confiscation was "incidental," and that censorship was absurd and no longer practiced. Four members of the JCO were arrested in February for distributing the memorandum in Tangiers and Ben Slimane (near Casablanca). All four were charged with violating the "sacred institution of the Monarchy." According to the AMDH, by February 7, the authorities had dropped the charges and released the four JCO members.

According to press reports in late May and early July, the authorities allegedly blocked the publication of two newspapers—*Al-Adl Wal Ihsane* and *Rissalat Al-Futuwa*—that were associated with the JCO, ordering printers to suspend their distribution. Yassine's books, articles, and audio cassettes were sold only at some bookstores, and editorials that had called for his release were published without impediment. The JCO has an active presence on university campuses and occasionally had organized protests of Yassine's house arrest. However, prominent members of the JCO are subject to constant surveillance and sometimes are unable to obtain passports and other necessary documents. During the summer, the Government prevented members of the JCO from gaining access to campgrounds and beaches for group prayer sessions, and arrested and jailed some of the group's members. In August two JCO members were sentenced to 3 months' imprisonment for their proselytizing activities on a beach in El-Jadida. During the same month, Interior Minister Ahmed Midaoui declared before Parliament that "we are one sole nation and nobody can impose upon others their own vision of Islam," and that "people go to beaches for recreational purposes and we do not have Islamic beaches." He also added that "we cannot tolerate the appearance of sectarianism in our society" (see Sections 1.d., 2.a., 2.b., and 2.d.).

The teaching of Islam in public schools benefits from discretionary funding in the Government's annual education budget, as do other curriculum subjects. The annual budget also provides funds for religious instruction to the parallel system of Jewish public schools. The Government has funded several efforts to study the cultural, artistic, literary, and scientific heritage of Moroccan Jews. In 1998, the Government created a chair for the study of comparative religions at the University of Rabat.

Since the time of the French protectorate (1912–1956), a small foreign Christian community has opened churches, orphanages, hospitals, and schools without any restriction or licensing requirement being imposed. Missionaries who conduct themselves in accordance with societal expectations largely are left unhindered. However, those whose proselytizing activities become public face expulsion.

The Government permits the display and sale of Bibles in French, English, and Spanish, but confiscates Arabic-language Bibles and refuses licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless, Arabic Bibles reportedly have been sold in local bookstores. There were no known cases in which foreigners were denied entry into the country because they were carrying Christian materials, as occurred in the past.

The small Baha'i community has been forbidden to meet or participate in communal activities since 1983; however, there were no reports during the year that the Government summoned members of the Baha'i Faith for questioning or denied them passports, as had occurred in previous years.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are run, depending on the law that applies, by rabbinical and Islamic authorities who are court officials. Parliament must authorize any changes to those laws. Non-Koranic sections of Muslim law on personal status are applied to non-Muslim and non-Jewish persons.

The Government organizes events to encourage tolerance and respect among religions. In April and May, the Government hosted the first meeting of the "Traveling Faculty of the Religions of the Book" at Al-Akhawayn University in Ifrane.

The Government annually organizes in May the "Fez Festival of Sacred Music," which includes musicians from many religions. The Government has organized in the past numerous symposiums among local and international clergy, priests, rabbis, imams and other spiritual leaders to examine ways to reduce religious intolerance and to promote interfaith dialog. Each year during the Islamic holy month of Ramadan, the King hosts colloquiums of Islamic religious scholars to examine ways to promote tolerance and mutual respect within Islam and between Islam and other religions.

In late August, the King declared in a nationally televised speech that 100 mosques throughout the country would be used as teaching centers to fight illiteracy. In the first (and pilot) year of the announced program, 10,000 citizens between the ages of 15 and 45 were to receive literacy courses on Islam, civic education, and hygiene. If successful, the program was expected to be expanded to include a larger part of the population in subsequent years. The King designated 200 unemployed university graduates to administer the literacy courses during the program's pilot stage, which began in September.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Constitution provides for freedom of movement; however, the Government restricts this right in certain areas. The gendarmerie maintains checkpoints throughout the country, at which drivers' licenses and vehicle registrations are examined for validity. Although checkpoints have been maintained in the same places for years, the degree of inspections of motorists has relaxed, while the emphasis on inspecting trucks and buses continues. In addition while there are continuing allegations that gendarmes demand small bribes to clear vehicles, press reports indicate that gendarmes found guilty of such behavior are punished. In 1998 the Gendarmerie Royale began a campaign to combat such abuses within its ranks. In the Moroccan-administered Western Sahara, authorities restrict movement in areas regarded as militarily sensitive.

The Ministry of Interior restricts freedom to travel outside the country in certain circumstances. In addition all civil servants and military personnel must obtain written permission from their ministries to leave the country. The OMDH and AMDH have compiled lists of individuals who reportedly have been denied passports or who have passports but are denied permission to travel. In February the AMDH reported in the French-language weekly *Quotidien du Maroc* on 33 past and previous cases in which the Interior Ministry has blocked the issuance of passports to former political prisoners. On February 26, the OMDH issued a communique protesting a lack of governmental action on outstanding passport cases. The OMDH contended that the Government, in resorting to arbitrary administrative delays, continues to harass former political prisoners who seek to resume normal lives. The OMDH also alleged that some citizens were forbidden by the Government to leave Moroccan territory during the year. The communique listed no names.

In March the investigative French-language weekly *Le Journal* reported on two cases of former leftist political activists and political prisoners who were unable to renew their passports. Pardoned in 1992, Abdellah El-Harrif, the national secretary of a far-left political party unrecognized by the Government, discovered during a passport-renewal procedure that the authorities have sought his whereabouts since 1996. Despite numerous inquiries to the Government to determine the reason behind his particular status, El Harrif reportedly had not received a response by year's end. However, he remained free to continue his professional and political life without hindrance, and is free to travel within the country. El Harrif's deputy, Mostapha Brahma, reported similar difficulties. Brahma has been without a passport since 1994, the year of his pardon, and has received no answer from the Interior Ministry, Human Rights Ministry, or the CCDH regarding the nonissuance of his passport. According to press reports in November, a former prisoner who was convicted in 1996 for "threatening the sacred institution of the monarchy" and freed 3 years later, still was waiting to receive his passport a year after submitting a passport request.

According to press reports, before, during, and after their February 2 operation in the village of Tarmilet (48 miles from the capital) to remove striking workers

from a water-bottling factory, a reported 1,000 security forces encircled and sealed off the village. Gendarmes erected blockades and strictly controlled access to the village. According to the AMDH, security forces maintained checkpoints near the village well after the February 2 confrontation with workers. The operation, which involved a large-scale military presence and reportedly was led by senior military officers, took place after a court order in January had ruled in favor of the factory owners, who had charged the protesting workers with interruption of means of production and obstructing the freedom to work. Dozens of strikers and members of the security forces were injured during the operation, in which security forces used rubber bullets, tear gas, and water cannons to remove strikers and their supporters from the factory and access areas (see Sections 1.c., 1.d., 1.f., and 2.b.).

After 11 years of house arrest for refusing to acknowledge the religious authority of then-King Hassan II, Islamist dissident Sheikh Abdessalam Yassine was permitted to leave his Sale home on May 16 (see Sections 1.d., 2.a, and 2.c.).

Moroccans may not renounce their citizenship, but the King retains the power—rarely used—to revoke it. Tens of thousands of Moroccans hold more than one citizenship and travel on passports from two or more countries. While in Morocco, they are regarded as Moroccan citizens. Dual nationals sometimes complain of harassment by immigration inspectors.

The Government welcomes voluntary repatriation of Jews who have emigrated. Moroccan Jewish emigres, including those with Israeli citizenship, freely visit Morocco. The Government also encourages the return of Sahrawis who have departed Morocco due to the conflict in the Western Sahara, provided that they recognize the Government's claim to the region. The Government does not permit Western Saharan nationalists who have been released from prison to live in the disputed territory.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. While Morocco has from time to time provided political asylum to individuals, the issue of first asylum never has arisen. There were no reports of forced expulsion of persons with a valid claim to refugee status.

Section 3. Respect for Political Rights: The Right of Citizens to Change their Government

Constitutional provisions establishing periodic free elections notwithstanding, citizens do not have the full right to change their government. The King, as head of state, appoints the Prime Minister, who is the titular head of government. Constitutional changes in 1992, retained in the Constitution of 1996, authorize the Prime Minister to nominate all government ministers, but the King has the power to replace any minister at will. The Parliament has the theoretical ability to effect change in the system of government. However, the Constitution may not be changed without the King's approval. The Ministry of Interior appoints the provincial governors and local caids (district administrative officials). Municipal and regional councils are elected.

The Government of Prime Minister Abderrahmane Youssef is the first government formed from the political opposition since the late 1950's, and his 1998 appointment by then-King Hassan II marked a significant step toward increased democratization. With the support of the Monarchy, Youssef, who was sentenced to death in absentia in the 1970's but subsequently received a royal pardon in 1980, has declared his intention to modernize the administrative and judicial structures and to liberalize the economic and political system. Of the 41 cabinet-level posts in the Government that Youssef appointed in 1998, only 4 posts (Interior, Foreign Affairs, Justice, and Islamic Affairs) plus the Secretary General of the Government and the Minister-Delegate for Defense Administration were filled by holdovers from the former Government. In 1999 King Mohammed VI replaced one of the four holdovers, Interior Minister Driss Basri. In order to develop reforms, the King granted cabinet ministers a greater degree of responsibility for the management of their individual portfolios. In September Prime Minister Youssef consolidated his Cabinet to include fewer ministerial areas of responsibility. The Government now consists of 33 cabinet-level posts, but still contains 6 "sovereign" ministerial posts directly appointed by the King (Interior, Foreign Affairs, Justice, Islamic Affairs, Defense Administration, and Secretary General of the Government).

Morocco created a bicameral legislature in 1997. Fourteen parties have members in Parliament, and 7 are represented in the governing coalition. While opposition parties urged in 1996 and 1997 that all members of Parliament be elected directly by the citizenry, then-King Hassan II proposed in 1996 the creation of a bicameral legislature, in which all members of the lower house would be elected through uni-

versal suffrage and the upper house by various regional, local, and professional councils.

In June 1997, Morocco held municipal council elections, followed by balloting for regional professional councils. In the wake of the June 1997 elections, political parties accused each other of manipulation and vote-buying, and claimed government intervention on behalf of candidates. The Election Commission examined numerous petitions during the course of the electoral season in 1997 and recommended the reversal of over 60 municipal election results, including in Tangier, Khoribga, and Oujda, noted irregularities in four parliamentary races in Casablanca, Chefchaouen, and Fez, and called for the results to be set aside. The OMDH criticized the prominent role of the Interior Ministry in the June 1997 elections, as well as the numerous allegations of vote-buying, both by the Government and political parties, electoral list manipulation by the Government, and electoral card falsification.

In August 1997, then-King Hassan II convoked a special session of Parliament to ratify two laws creating a bicameral assembly, and, in the same month, Parliament unanimously approved these laws, which created a 325-seat lower house, the Chamber of Representatives, to be filled by direct elections, and a 270-seat upper house, the Chamber of Deputies, whose members would be elected by various directly elected professional and regional councils. There were widespread, credible allegations of votebuying and government manipulation in the November 1997 legislative elections. The fraud and government pressure tactics led most independent observers to conclude that the election results were heavily influenced, if not predetermined, by the Government. All opposition parties criticized the Government, and some called for a boycott of Parliament. Two winners renounced their seats, alleging unsolicited government interference on their behalf. The Election Commission concurred that irregularities had occurred in two Casablanca cases and recommended that new elections be held in those districts. After a long appeals process initiated by the losers of the seats, new elections for the seats were held on August 31, as well as elections for four other seats throughout the country. The new elections followed the formal invalidation of the six 1997 election results throughout the year by the Constitutional Council. Press reports indicate that the August 31 by-elections overall proceeded more fairly than in 1997, despite allegations that two of the races involved some cases of vote-buying. Also in August, the Constitutional Council invalidated an additional by-election held in the Casablanca-Mechouar district in June that allegedly involved vote-buying. Despite the invalidations by the Constitutional Council throughout the year, the body continued to attract criticism for the alleged slow pace of its deliberations.

On September 15, Morocco held indirect elections to replace, for the first time since the body's inception, one third of the 270 seats in the Chamber of Counselors. After the polls had closed, Interior Minister Midaoui reported in a nationally televised press conference that various political parties had engaged in votebuying and fraud. Criticizing the electoral corruption, Minister Midaoui claimed that his ministry had done everything it could to prevent fraudulent practices, including conducting investigations into 108 cases, at least 26 of which the Interior Ministry was certain involved fraud. The Interior Minister also reported that the Ministry had turned the cases over to the Justice Ministry for further action, and that the Government "is going to do its duty." However, by year's end, few of the cases involving electoral fraud had been presented before the courts and prosecuted. According to press reports, the Constitutional Council also had received several hundred grievances relating to the election from throughout the country.

Women are underrepresented in government and politics. There is 1 female minister delegate in the 33-member Cabinet. There are no women among the 325 members of the Chamber of Representatives, and only one woman in the 270-seat Chamber of Counselors. Women occupy only 84 out of 22,000 seats (or .34 percent) of local communal councils throughout the country.

In March for the first time in the country's history, King Mohammed VI appointed a female royal counselor. In August the King also appointed a woman to head the National Office of Oil Research and Exploration, an office created as part of the Government's efforts to exploit newly discovered hydrocarbon reserves in the east. In September the King confirmed the first-ever female ministerial appointment; she is to be responsible for a newly reorganized ministry overseeing the status of women, the first time a ministry has been charged explicitly with the issue. In October the King appointed the first woman to head the National Office of Tourism.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are three nationally organized and officially recognized nongovernmental human rights groups: The Moroccan Organization for Human Rights, the Moroccan

League for the Defense of Human Rights (LMDDH), and the Moroccan Association for Human Rights. A fourth group, the Committee for the Defense of Human Rights (CDDH), was formed in 1992 by former AMDH members. There are also numerous regional human rights organizations. The Government maintains close and collaborative relations with all of these groups.

Founded in the 1979 and 1988, respectively, the AMDH and OMDH have spent years struggling to end human rights abuses. During this time, they were subjected to harassment and restrictions by the Government. Some of their former leaders now occupy high posts in the Youssef Government, particularly in the human rights field. In May the Government accorded the two organizations "public utility" status, which confers organizations financial benefits as recognition of their serving the public interest.

In October the OMDH hosted a regional congress on protecting human rights defenders and promoting democracy in the Arab world. The congress was attended by Arab jurists and the Human Rights Minister. The congress called for constitutional reforms throughout the Arab world that would protect democracy and ensure public freedoms.

During the weekend of December 9-11, security forces throughout the country used violent means to disperse human rights activists, members of the JCO, and unemployed graduates who separately gathered in Rabat and other large cities to demonstrate for different reasons. On December 9, human rights activists from the AMDH and FMVE gathered before the Parliament to demand trials for those responsible for past arbitrary detention, forced disappearance, and torture. Security forces violently attacked the demonstrators with truncheons and arrested about 40 persons. Security forces also reportedly confiscated journalists' photography equipment. After spending 1 night in jail, 39 of the detained protesters appeared before the court of first instance in Rabat the following day and were released that evening. The Government pressed charges against 33 of the demonstrators; the trial was scheduled for February 2001. The AMDH's president, Abderrahmane Benameur, who was among those arrested and released, condemned the use of violence by security forces, characterizing such violence as "a step backward in human rights." On December 17, the AMDH filed a lawsuit in Rabat's administrative court against the Government for banning its demonstration. On December 10, the FIDH issued a communique in which it expressed its "extreme concern" regarding the Government's suppression of peaceful gatherings (see Sections 1.c., 1.d., 1.e., 2.a., and 2.b.).

Two new prominent national human rights NGO's, the FMVE and the ONPM, were formed in 1999. Created by victims of forced disappearance and surviving family members, the FMVE's principal goal is to encourage the Government to address openly the issue of past forced disappearances and arbitrary detention. It also lobbies for reparations for former political prisoners that extend beyond financial compensation. Created by lawyers, doctors, journalists, former inmates, and entertainment personalities, the ONPM's main purpose is improving the treatment and living conditions of prisoners. ONPM also supports penal reform efforts. Both the FMVE and the ONPM maintained collaborative relations and fairly regular contact with government authorities throughout the year.

In March the Moroccan Barrister's Association opened a human rights center in Rabat. The Human Rights Minister and other government officials attended its opening. The barrister's association plans to use the center to train lawyers in human rights laws and standards. The center is to undertake studies on reforming existing legal texts to ensure harmonization with international human rights conventions. Additionally, the center intends to track and monitor court cases and verdicts with human rights implications.

On December 8, the Government signed an agreement with the Democratic Association of Moroccan Women (ADFM) to cooperate on gender equality programs.

Amnesty International has local chapters in Rabat, Casablanca, and Marrakech. These chapters participate in AI international letter-writing campaigns involving issues outside Morocco. In September AI held a national youth forum outside the capital that focused on human rights awareness training and children's rights. The Government hosted a visit by AI secretary general Pierre Sane in June 1999, during which Sane met with senior government officials and announced that AI would consider Morocco as a site for a regional office and would hold its International Congress in Marrakech later that year. However, later in June 1999, articles in the French and domestic press reported that the Government had decided not to host the conference, allegedly because of fears that AI delegates would organize protests in Rabat concerning the human rights situation in the Western Sahara. The conference was not held. Amnesty International chose Lebanon as the site for its regional office, which opened in the fall.

In the latter part of the year, the Government and Amnesty International discussed and signed two cooperation agreements on human rights education and public awareness. In September Human Rights Minister Aujjar received an Amnesty International delegation from Norway, which presented a draft 10-year program on cooperation for the country's new focus on human rights education. Amnesty International and the Government still were negotiating an official agreement on the draft program at year's end. The Government and the Moroccan chapter of Amnesty International signed a similar cooperation agreement on a human rights public awareness program on December 9, the 52nd anniversary of the U.N. Universal Declaration of Human Rights.

According to the MAP news agency, the Paris-based International Federation of Human Rights Leagues decided in March to hold its next world congress in Morocco, reportedly because of the country's progress in the area of human rights. FIDH officials visited the country in January to meet with Human Rights Minister Mohammed Aujjar, Prime Minister Youssoufi, and other government officials, and to discuss preparations for the congress, which was scheduled to take place in January 2001. The FIDH's world congress reportedly is the first to be held by an international human rights organization in the Arab world.

In Cairo in March, the Arab League Council chose the Moroccan academic and jurist Khalid Naciri as the next president of the Arab Commission for Human Rights. Naciri is to occupy the post for 2 years, heading the commission's review of human rights questions in the Arab world. Naciri was a founding member of the OMDH and once served as its president.

In October at its general assembly session held in Cairo, the Arab Human Rights Organization (OAH) elected two Moroccans to serve 3-year posts on the organization's Council of Secretaries. The two Moroccans also are active members of the OMDH. Also in October, the International Committee of the Red Cross, in collaboration with the Ministry of National Education and Boston University, conducted a pilot program to introduce the teaching of international humanitarian law to educators. The program is part of the Government's current efforts to reform the education system, including by integrating the teaching of human rights into the national curriculum.

In April U.N. High Commissioner for Human Rights Mary Robinson visited the country to attend an international conference on national human rights institutions and to open a U.N.-sponsored human rights information center. During her visit, her second in as many years, Robinson said that while there still were problems to resolve, particularly with respect to unemployment and the plight of women, the country had achieved "significant progress" in human rights during the past 2 years.

At the end of her stay, Robinson inaugurated the opening of a center for human rights documentation, training, and information. Cosponsored by the Human Rights Ministry, the U.N. Commission on Human Rights, and the U.N. Development Program, the center is intended to operate as an independent entity and to provide a framework for dialog between governmental and nongovernmental bodies concerned with human rights. The center's work is to be directed toward persons involved in the application and implementation of laws related to human rights, including police officers, judges, lawyers, and representatives of human rights advocacy NGO's.

Prime Minister Youssoufi chairs a human rights commission that reviews cases of past and present human rights issues. The commission is composed of members of the Government, including the Ministers of Justice, Human Rights, and Interior.

The Royal Consultative Council on Human Rights, a 10-year-old advisory body to the King, counsels the Palace on human rights issues, and was the organization charged by the King to resolve cases related to persons who had disappeared. The CCDH is composed of five working groups responsible for promoting the protection of human rights. They include groups on penal law; prison conditions; communications with human rights NGO's; inhuman conditions of refugees in Polisario-controlled camps in Tindouf, Algeria; and economic, social, and cultural rights. In his annual Throne Day speech on July 30 and again in a December 9 speech before the CCDH in commemoration of the 52nd anniversary of the Universal Declaration of Human Rights, King Mohammed announced plans to reform the Council's structures, responsibilities, and working methods. Critics of the CCDH welcomed the King's announcements on the recomposition of the Council, which they have long maintained lacks true independence and the political will to address openly and fairly sensitive human rights issues. None of the announced reforms of the CCDH had been instituted by year's end.

Throughout the year, the Human Rights Ministry held human rights awareness training sessions with educators and some police personnel. The sessions were directed at school inspectors at both the primary and secondary school levels. Up to

75 additional such training sessions are planned; the inspectors in turn are expected to transfer the training to teachers for integration into their teaching programs. Officials at the Human Rights Ministry state that some police officers and other enforcement officials also are being trained. The Government increased efforts to introduce human rights as a core subject of the national school curriculum during the year; in September Human Rights Minister Aujjar stated that the Government planned to establish an experimental phase-in program during the 2000–2001 school cycle, with plans for human rights to become a core component of the national curriculum within the next 2 years.

In September the country cohosted a human rights training seminar for representatives of Arab governments and nongovernmental organizations in the Arab world. The seminar included discussions on education in human rights, education in democracy, and the rights of women in the Arab world.

In January the Human Rights Ministry announced its intention to open, in collaboration with the Moroccan Barristers Association, a network of support centers charged with providing legal and psychological assistance to needy citizens. Targeted at children and women who have suffered physical or psychological violence, the centers are to be staffed by doctors, lawyers, psychologists, and teachers. Officials at the Human Rights Ministry say that the Ministry also intends to involve the participation of police officers at the centers. The primary mission of the centers is to provide quick, effective, and direct assistance to those in difficult situations, with an emphasis on clients' legal rights. The centers were scheduled to open in early 2001.

Also in January, Mohamed Said Saadi, then-Secretary of State for Social Protection, the Family, and Children, announced his department's plans, in collaboration with the European Union, to open a national center dealing with women's issues. The center would provide training, documentation, and information on women's issues. Saadi also announced the creation of bureaus within government ministries that would be responsible for overseeing the respect for equal employment and promotion opportunities for women.

At the end of October, the Ministry of Human Rights hosted a conference in Rabat on "Human Rights, Cultural Identities and Social Cohesion in the Mediterranean Region," which represented a follow-up to a dialog initiated in 1995. Attended by Morocco's human rights community and European leaders, such as former Portuguese President Mario Soares and former Spanish Prime Minister Felipe Gonzalez, the 2-day conference focused on issues in the Mediterranean region such as human rights, migration, culture, and the impact of economic development on human rights.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Although the Constitution states that all citizens are equal, non-Muslims and women face discrimination in the law and traditional practice.

Women.—Spousal violence is common. Although a battered wife has the right to file a complaint with the police, as a practical matter she would do so only if prepared to bring criminal charges. While physical abuse is a legal ground for divorce, a court only grants it if the woman is able to provide two witnesses to the abuse. Even medical certificates are not sufficient. If the court finds against the woman, she is returned to her husband's home. Consequently, few women report abuses to the authorities.

The Criminal Code provides for severe punishment for men convicted of rape or sexually assaulting a woman or a girl. The defendants in such cases bear the burden of proving their innocence. However, sexual assaults often go unreported because of the stigma attached to the loss of virginity. While not provided for by law, victims' families may offer rapists the opportunity to marry their victims in order to preserve the honor of the family. The law is more lenient toward men with respect to crimes committed against their wives; for example, a light sentence may be accorded a man who murders his wife after catching her in the act of adultery. However, "honor crimes," a euphemism that refers to violent assaults with intent to commit murder against a female for her perceived immodest or defiant behavior, are extremely rare.

In February local police in the city of Azrou in the Middle Atlas region, initiated an operation against prostitution, which resulted in a series of arrests of prostitute, arraignments of brothel leaders, and closings of brothels that previously had been tolerated (see Section 6.f.).

Women suffer various forms of legal and cultural discrimination. The civil-law status of women is governed by the Code of Personal Status (sometimes referred to as the "Moudouwana"), which is based on the Malikite school of Islamic law. Al-

though the Code of Personal Status was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage, divorce, and inheritance.

In order to marry, a woman generally is required to obtain the permission of her "tuteur," or legal guardian, usually her father. Only in rare circumstances may she act as her own "tuteur."

It is far easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man simply may repudiate his wife outside of court. Under the 1993 reforms to the Code of Personal Status, a woman's presence in court is required in order for her husband to divorce her, although women's groups report that this law frequently is ignored. However, human rights activists reported that in one NGO-sponsored test in the late 1990's, officials refused to order a divorce without the wife being present, despite offers of bribes. Nevertheless, women's groups complain that men resort to ruses to evade the new legal restrictions. The divorce may be finalized even over the woman's objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a *khol'a* divorce). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women's groups, many men pressure their wives to pursue this kind of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her. However, divorce procedures in these cases are lengthy and complicated. In November 1998, the Minister of Islamic Affairs proposed the institutionalization of additions to the basic marriage contract that would outline the rights and duties agreed upon between husband and wife and permit legal recourse for the enforcement of the contract.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal status, cultural norms often prevent a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

While many well-educated women pursue careers in law, medicine, education, and government service, few make it to the top echelons of their professions. Women constitute approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. In 1998 the Government reported that the illiteracy rate for women was 67 percent (83 percent in rural areas), compared with 41 percent for men (50 percent in rural areas). Women in rural areas suffer the most from inequality. Rural women perform difficult physical labor. Girls are much less likely to be sent to school than are boys, especially in rural areas, where the quality of schooling is inferior to urban areas and demands on girls' time for household chores often prevent school attendance. Some families also keep girls at home because of rural schools' lack of facilities. However, women who do earn secondary school diplomas have equal access to university education.

The Government and the King continued to promote their proposal to reform the Personal Status Code in order to advance women's rights. Islamists and some other traditional segments of society firmly opposed the proposal, especially with respect to its more controversial elements, such as reform of women's legal status in marriage and family law issues. On March 12, an estimated 50,000 demonstrators marched peacefully in Rabat in observance of the International Day for Women and in support of political reform in the area of women's rights. On the same day, Islamist groups organized a peaceful counterdemonstration in Casablanca that drew an estimated 150,000 to 200,000 persons protesting such reform (see Section 2.b.). In October the Denmark-based Euro-Mediterranean Human Rights Network repeated concerns expressed by domestic civil society organizations late in the year about the future of the proposal to reform the Personal Status Code. According to the EMHRN, the plan to integrate women into the development process that the Government prepared in its discussions with civil society "has been pushed to one side."

According to press reports and reliable sources, in early July, an unspecified number of imams of state-administered mosques sermonized against the social work of Aicha Ech-Chenna, president of the NGO Feminine Solidarity, and attacked her character; during prayer services, one of these imams allegedly threatened Ech-Chenna. Ech-Chenna's NGO primarily focuses on encouraging the social reintegration of marginalized and abandoned single mothers with illegitimate children. Some opposed to Ech-Chenna's work have characterized it as encouraging prostitution.

After the reported attack on EchChenna's character and other threats, a group of domestic NGO's issued a communique in late July that criticized "any attempt to use religion and mosques to subdue the voice of women." The communique also held the Government primarily "responsible for anything that occurs within mosques." According to reliable sources, the Ministry of Islamic Affairs took disciplinary actions against the imam who had threatened Ech-Chenna, stripping him of his position and removing him from the mosque. In early November, at the beginning of the third annual "Solidarity Campaign" to help impoverished and needy citizens, the King decorated Ech-Chenna for her social work.

In January Mohamed Said Saadi, then-Secretary of State for Social Protection, the Family, and Children, announced his department's plans, in collaboration with the European Union, to open a national center dealing with women's issues. The center would provide training, documentation, and information on women's issues. Saadi also announced the creation of bureaus within government ministries that would be responsible for overseeing the respect for equal employment and promotion opportunities (See Section 4). The national center was scheduled to open in Rabat in early 2001.

According to a 1997 government survey, 76 NGO's work to advance women's rights and to promote women's issues. Among these are the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights, which advocate enhanced political and civil rights, as well as numerous NGO's that provide shelters for battered women, teach women basic hygiene, family planning, and child care, and educate illiterate women.

Children.—The law provides for compulsory education for children between the ages of 7 and 13; however, not all children between these ages attend school due to family decisions and shortfalls in government resources, and the Government does not enforce the law. The Government conducts an annual campaign to vaccinate children against childhood diseases.

The Government has had difficulty addressing the problem of child labor (see Section 6.d.). Young girls in particular are exploited as domestic servants. Teenage prostitution in urban centers has been estimated in the thousands by NGO activists (see Section 6.f.). The clientele consists of both foreign tourists and citizens. More young girls than boys are involved; however, young boys also work as prostitutes (see Section 6.f.). The practice of adoptive servitude, in which urban families employ young rural girls and use them as domestic servants in their homes, is prevalent. Credible reports of physical and psychological abuse in such circumstances are widespread. Some orphanages have been charged as knowing accomplices in the practice. More often parents of rural girls "contract" their daughters to wealthier urban families and collect the salaries for their work as maids. Adoptive servitude is accepted socially, is unregulated by the Government, and has only recently begun to attract public criticism. However, at the end of the year, the Moroccan UNICEF chapter and the National Observatory of Children's Rights (ONDE), presided by Princess Lalla Meryem, began a human rights awareness campaign regarding the plight of child maids. The campaign received widespread and extensive media exposure, including coverage in official publications.

Another problem facing orphans of both sexes is their lack of civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. In general men are registered at local government offices; their wives and unmarried children are included in this registration, which confers civil status. If a father does not register his child, the child is without civil status and the benefits of citizenship. It is possible for an individual to self-register; however, the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time. Abandoned children sometimes receive kafala (state-sponsored care).

Several NGO's, including the Bayti Association and the Moroccan League for the Protection of Children, work to improve legal protection for children and to help at-risk children. In December the French Government awarded Najat Mjid, Bayti's president of 17 years, France's prestigious Human Rights Award in recognition of her activism on behalf of Moroccan children. Also in December, the United Nations nominated Mjid for the post of Special Rapporteur on the Traffic and Exploitation of Children. There are several shelters in the major cities that provide food and lodging for street children, while other NGO's work to reduce the exploitation of street children and to cure those street children with drug addictions.

People with Disabilities.—A high incidence of disabling disease, especially polio, has resulted in a correspondingly high number of disabled persons. Current statistics from the Government estimate the number of disabled persons in Morocco at 2.2 million, or 7 percent of the population. While the Ministry of Social Affairs attempts to integrate the disabled into society, in practice this is left largely to private

charities. The annual budget for the ministerial department in charge of disabled affairs is only .01 percent of the overall annual budget. Even nonprofit special-education programs are priced beyond the reach of most families. Typically, disabled persons are supported by their families; some survive by begging. The Government continued a pilot training program for the blind sponsored in part by a member of the royal family. In March the Government created a special commission for the integration of the disabled, presided over by Prime Minister Youssoufi. The commission is responsible for developing programs that facilitate societal integration of disabled persons. Also in March, the Government organized a "National Day of the Disabled," which is aimed at increasing public awareness of issues affecting the disabled. On March 30, King Mohammed VI visited a center for disabled children in the Khemisset province and donated \$720,000 (7,200,000 dirhams) to a project to expand the center's activities. There are no laws mandating physical changes to buildings to facilitate access by the disabled.

On July 26 and again on September 12, police used force to break up protests by disabled, unemployed university graduates (see Sections 1.c., 2.a., and 2.b.).

National/Racial/Ethnic Minorities.—The Constitution affirms, and the Government respects, the legal equality of all citizens. The official language is Arabic. Both French and Arabic are used in the news media and educational institutions. Science and technical courses are taught in French, thereby precluding the large, monolingual Arabic-speaking population from participation in such programs. Educational reforms in the past decade have stressed the use of Arabic in secondary schools. Failure to transform the university system to a similar extent has led to the disqualification of many students from higher education in lucrative fields. This especially is true among the poor, for whom French training is not always affordable.

About 60 percent of the population claim Berber heritage. Berber cultural groups contend that Berber traditions and the Berber language (which consists of three dialects) rapidly are being lost. Their repeated requests to King Hassan II to permit the teaching of Berber languages in the schools led to a 1995 royal speech authorizing the necessary curriculum changes; however, such changes have not been implemented. Official media broadcast in the Berber language for limited periods each day.

In 1996 a number of Berber associations issued a communique petitioning the Government to recognize their language as an official language and to acknowledge their culture as a part of Moroccan society. These associations claimed that the Government refuses to register births for children with traditional Berber names, discourages the public display of the Berber alphabet, limits the activities of Berber associations, and continues to Arabize the names of towns, villages, and geographic landmarks. The Government thus far has made no response to the petition, although Prime Minister Youssoufi acknowledged Berber culture as an integral part of Moroccan identity in a speech before Parliament in 1998. A full page of a major national newspaper is devoted on a monthly basis to articles and poems on Berber culture, which are printed in the Berber language, although with Latin script.

On March 14, the Government prevented a sit-in before the Parliament by two Berber NGO's, Tamaynout and the Moroccan Association for Research and Cultural Exchange (AMREC). The two NGO's filed a declaration for the sit-in on March 13; however, they received a letter later the same day from the Wali of Rabat banning the sit-in on the grounds that it threatened public order and security.

In late 1999, Tamaynout published a report on violations of the cultural rights of Berber. As evidence the report cited the refusal of the authorities to recognize Berber names and to use the Berber language in commercial advertisements, and threats by the authorities of physical abuse if shop owners displayed such advertisements in their establishments. According to Tamaynout, Massinisa, a related NGO based in Tangiers, was contacted by government authorities and threatened on the evening before its congress. The report also stated that the government television channel 2M did not broadcast any Berber-language programs, despite the fact that Berbers pay taxes for the channel in the form of payments for other government-provided services. In its report, Tamaynout asked for government recognition of the Berber language and an end to harassment of Berber associations.

Section 6. Worker Rights

a. The Right of Association.—Although workers are free to establish and join trade unions, the unions themselves are not completely free from government interference. About half a million of the country's 9 million workers are unionized in 17 trade union federations. Three federations dominate the labor scene: The Union Marocaine du Travail (UMT), the Confederation Democratique du Travail (CDT), and the Union Generale des Travailleurs Marocains (UCTM). The UMT has no po-

litical party affiliation. The CDT is affiliated with the ruling Socialist Union of Popular Forces of Prime Minister Youssefi, and the UGTM with the Istiqlal party, the second partner in the ruling coalition. It is widely believed that the Ministry of Interior has informants within the unions who monitor union activities and the election of officers. Sometimes union officers are subject to government pressure. Union leadership does not always uphold the rights of members to select their own leaders. There has been no case of the rank and file voting out its current leadership and replacing it with another.

Workers have the right to strike and do so. Work stoppages normally are intended to advertise grievances and last 24 to 72 hours or less. In May a report by the International Labor Organization (ILO) noted that there were allegations of violations of the right of association and threats to freedom of opinion and speech. The report cited arrests and jailings of union members as examples of violations of the right of association. The report also noted allegations that the Government hampered collective bargaining by its civil servants.

In addition to numerous short-term strikes intended to highlight grievances, there were a number of narrowly focused work stoppages during the year. During a February 2 operation in the village of Tarmilet (48 miles from the capital), security forces used force, including rubber bullets, tear gas, and water cannons, to remove striking workers who had blockaded a water bottling factory to protest layoffs of temporary workers. The operation, which involved a large-scale military presence and reportedly was led by senior military officers, took place after a court order in January had ruled in favor of the factory owners, who charged the protesting workers with interruption of means of production and obstructing the freedom to work. Dozens of strikers and members of the security forces were injured during the operation. Security forces also reportedly arrested random passersby in addition to more than a dozen factory workers. According to sources in the Government, the workers and passersby later were released without charge. The Democratic Confederation of Workers trade union, which is aligned politically with the ruling USFP party, reported that security forces also detained two of its regional delegates 2 weeks after the February 2 incident. The two officials reportedly were freed by royal pardon on May 1 (Moroccan Labor Day) while an investigation into the incident was still ongoing. The owner of the factory and others involved in the incident reportedly claimed that security forces resorted to force only after the protesters initiated violence against unarmed police (see Sections 1.c., 1.d., 1.f., 2.b., and 2.d.).

Arrested and jailed on charges of forming a criminal gang and setting a vehicle on fire during a national truckers strike in June 1999, Sadok El Kihal, a trucker and regional bureau member of the UGTM, contacted the AMDH after his May 4 release with accusations that he had been arrested, jailed, tortured, and falsely convicted by authorities (see Sections 1.c., 1.d., and 1.e.).

On November 27, security forces reportedly used violent means to break up a 5-day sit-in strike at a canning factory in the southern city of Agadir. The attack reportedly resulted in the death of one worker and injuries to eight others. Conflicting reports attributed the death to either police abuse or "natural causes." There were confirmed reports that police arrested 21 of the strikers, 17 of whom were women, and ransacked the striking workers' dormitories inside the canning facility. All but one of the strikers later was released. The strikers were protesting their employer's alleged negligence in failing to pay its social security contributions. According to press reports, the striking personnel reportedly obeyed Labor Code regulations in filing an intent-to-strike notification 5 days before the November 22 strike. Members of the striking workers' trade union and politicians affiliated with it called on the Prime Minister to initiate an immediate investigation into the incident and free those detained. According to the workers' trade union, within 1 week after the incident, the cannery already had hired 60 new workers to replace the strikers.

In August during labor unrest near Casablanca, the nephew of a private transportation company owner drove a bus into a crowd of striking workers, killing 3 persons and wounding 12, in an attempt to end the occupation and obstruction of the company's bus depot. The workers were demonstrating to have their salaries increased to the level of the new national minimum wage and to compel the company to make its contributions to the national social security administration, as required by law. Government security forces arrested the nephew and son of the owner, the owner himself, and local thugs the company allegedly hired to intimidate the strikers. The owner's daughter also was charged in the case. An investigation into the affair was opened, and the Palace announced that it would offer \$10,000 (100,000 dirhams) to the families of each of the victims. The AMDH and the OMDH issued a joint press release encouraging the Government to ensure due process and enforce the rule of law. Union leaders sent a letter to the King and the Cabinet criticizing the attack and seeking their intervention to salvage labor-management relations

throughout the country. There were no further developments in the ongoing investigation by year's end.

Unions may sue to have labor laws enforced, and employers may sue unions when they believe that unions have overstepped their authority.

Unions belong to regional labor organizations and maintain ties with international trade union secretariats. The UMT is a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively is implied in the constitutional provisions on the right to strike and the right to join organizations. Trade union federations compete among themselves to organize workers. Any group of eight workers may organize a union and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation.

In general the Government ensures the observance of labor laws in larger companies and in the public sector. In the informal economy, such as in the family workshops-dominated handicrafts sector, employers routinely ignore labor laws and regulations, and government inspectors lack the resources to monitor violations effectively.

The laws governing collective bargaining are inadequate. Collective bargaining has been a longstanding tradition in some parts of the economy, such as the industrial sector, and is becoming more prevalent in the service sector, including banking, health, and the civil service. The wages and conditions of employment of unionized workers generally are set in discussions between employer and worker representatives. However, wages for the vast majority of workers are set unilaterally by employers.

Employers wishing to dismiss workers are required by law to notify the provincial governor through the labor inspector's office. In cases in which employers plan to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal. Any worker who is dismissed for committing a serious infraction of work rules is entitled by law to a court hearing.

There is no law specifically prohibiting antiunion discrimination. Under the ostensible justification of "separation for cause," employers commonly dismiss workers for union activities that are regarded as threatening to employer interests. The courts have the authority to reinstate such workers, but are unable to enforce rulings that compel employers to pay damages and back pay. Ministry of Labor inspectors serve as investigators and conciliators in labor disputes, but they are few in number and do not have the resources to investigate all cases. Unions have resorted increasingly to litigation to resolve labor disputes.

Labor law reform is such a controversial issue that a draft revised labor code has remained under discussion among the social partners and in parliamentary committee for more than 20 years.

Labor law applies equally to the small Tangier export zone. The proportion of unionized workers in the export zone is about the same as in the rest of the economy, roughly 5 percent.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is prohibited by royal decree, and when authorities become aware of instances of forced labor, courts enforce the decree; however, in practice the Government lacks the resources to inspect all places of employment to ensure that forced labor is not being used, and forced labor persists in the practice of adoptive servitude.

The Government prohibits forced and bonded labor by children, but does not enforce this prohibition effectively. The practice of adoptive servitude, in which families employ young girls and use them as domestic servants, is socially accepted, and the Government does not regulate it. Credible reports of physical and psychological abuse in such cases are widespread (see Sections 5, 6.d., and 6.f.). Forced prostitution occurs, especially in cities with large numbers of tourists (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—In October the Government ratified ILO Convention 182, which prohibits the worst forms of child labor. Abuse of child labor laws is common, particularly in the informal sector. Education is compulsory for children between the ages of 7 and 13, although not all children attend school. Special regulations pertain to the employment of children between the ages of 12 and 16. In practice children often are apprenticed before age 12, particularly in the informal handicraft industry. The use of minors is common in the small family-run workshops that produce rugs, ceramics, wood work, and leather goods. Children, particularly rural girls, also are employed informally as domestic servants and usually receive little or no wages. Safety and health conditions, as well as wages in businesses that employ children often are substandard. The law prohibits forced or bonded labor by children; however, the Government does

not enforce the law effectively (see Section 6.c.). The practice of adoptive servitude often is characterized by physical and psychological abuse (see Sections 5, 6.c., and 6.f.). The Ministry of Education, in cooperation with the Ministry of Health and with the support of UNICEF, is pursuing a strategy to ensure basic education and health services for child workers.

Ministry of Labor inspectors are responsible for enforcing child labor regulations, which generally are well observed in the industrialized, unionized sector of the economy. However, the inspectors are not authorized to monitor the conditions of domestic servants. The Government maintains that the informal handicrafts sector is difficult to monitor.

The Government lacks the resources to enforce laws against child labor, and there is general acceptance of the presumption that, to properly learn traditional handicraft skills, it is necessary for children to start working at a young age. In addition many citizens claim that having children working to learn a craft is better than having them live on the streets, where they sometimes turn to juvenile delinquency, prostitution, and substance abuse.

In September authorities in Fez announced plans to open four centers for the protection of children handicraft workers. Cosponsored by UNICEF, the centers are to provide children's rights education to child workers, their families, and employers. The centers are to take in street children and provide them with handicraft training and recreational opportunities. Health services for children also are planned for each center. One center opened in late September and three others were scheduled to open by the end of March 2001.

In 1997 the Government announced a new voluntary labeling system for carpet exports to certify that no child labor was involved in production. The system is cosponsored by German rug importers. However, the Government does not monitor nonparticipating handicraft producers that violate child labor laws.

e. Acceptable Conditions of Work.—The threat of a general strike in April led to negotiations among the Government, the Employers Association, and the labor confederations over increasing the minimum wage and improving health and social benefits. All three parties agreed to a 10 percent increase in the minimum wage effective July 1, raising it to approximately \$180 (1,800 dirhams) per month in the industrialized sector and to approximately \$9 (90 dirhams) per day for agricultural workers; however, not all private sector businesses had implemented the agreed-upon wage increase by year's end. Neither the minimum wage for the industrialized sector nor the wage for agricultural workers provides a decent standard of living for a worker and family, even with government subsidies for food, diesel fuel, and public transportation. Unions continue to appeal unsuccessfully for a minimum wage of approximately \$200 (2,000 dirhams). In many cases, several family members combine their income to support the family. Most workers in the industrial sector earn more than the minimum wage. They generally are paid between 13 and 16 months' salary, including bonuses, each year.

The minimum wage is not enforced effectively in the informal and handicraft sectors. However, as a result of the agreement reached in the April negotiations, the Government no longer pays less than the minimum wage to workers at the lowest civil service grades. To increase employment opportunities for recent graduates, the Government allows firms to hire them for a limited period through a subsidized internship program at less than the minimum wage.

The law provides for a 48-hour maximum workweek with no more than 10 hours worked in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. As with other labor regulations and laws, these are not observed universally.

Occupational health and safety standards are rudimentary, except for a prohibition on the employment of women in certain dangerous occupations. Labor inspectors attempt to monitor working conditions and accidents, but lack sufficient resources. While workers in principle have the right to remove themselves from work situations that endanger health and safety without jeopardizing their continued employment, there were no reports of any instances in which a worker attempted to exercise this right.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons; under the Penal Code, perpetrators are prosecuted either as scam artists, corruptors of minors, or persons who force others into prostitution.

Prostitution is prevalent and forced prostitution occurs, particularly in cities with large numbers of tourists, as well as near towns with large military installations. In 1998 a case was reported in which a girl allegedly had been held against her will and forced to work for 5 years in a brothel in Hajeb until she escaped at age 19.

According to the Party of Progress and Socialism's French-language daily newspaper *Al-Bayane*, in February local police in the city of Azrou in the Middle Atlas region, initiated a surprise operation against prostitution there. Coming after the nomination of a new director to lead the Interior Ministry's regional security force, the operation resulted in a series of arrests of prostitute, arraignments of brothel leaders, and closings of brothels that previously were tolerated. Al-Bayane claimed that Azrou is home to numerous brothels that lure vulnerable women in desperate situations (see Section 5).

Forced prostitution involving Moroccans also occurs abroad. In 1999 a Moroccan woman who had been recruited to be a domestic servant in Saudi Arabia, escaped a prostitution ring there and informed police, which led to the arrest of her Moroccan handlers, an extended family group numbering about 40 persons. This same group of Moroccans had been involved in organizing similar such activities throughout the Persian Gulf region.

Voluntary teenage prostitution in urban centers has been estimated in the thousands by NGO activists. The clientele consists of both foreign tourists and citizens. More young girls than boys are involved; however, young boys also work as prostitutes (see Section 5).

The practice of adoptive servitude, in which families employ young girls and use them as indentured servants, is prevalent and accepted socially, and the Government does not regulate it. Reports of physical and psychological abuse in such cases are widespread; reports of sexual abuse are less frequent. Some orphanages have been charged as knowing accomplices in providing these young child maids; however, more often, parents of rural girls "contract" their daughters as maids to wealthier urban families and collect their salaries (see Sections 5 and 6.d.).

Several domestic NGO's, as well as a branch of Terre Des Hommes, a Swiss-based international NGO, help victims of trafficking by assisting and rehabilitating street children, educating delinquents and runaways, assisting single mothers to become financially independent, educating youths and prostitutes about the dangers of unprotected sex, and advocating women's rights issues.

WESTERN SAHARA

The sovereignty of the Western Sahara remains the subject of a dispute between the Government of Morocco and the Polisario Front, an organization seeking independence for the region. The Moroccan Government sent troops and settlers into the northern two-thirds of the Western Sahara after Spain withdrew from the area in 1975, and extended its administration over the southern province of Oued Ed-Dahab after Mauritania renounced its claim in 1979. The Moroccan Government has undertaken a sizable economic development program in the Western Sahara as part of its long-term efforts to strengthen Moroccan claims to the territory.

Since 1973 the Polisario Front has challenged the claims of Spain, Mauritania, and Morocco to the territory. Moroccan and Polisario forces fought intermittently from 1975 until the 1991 ceasefire and deployment to the area of a U.N. peace-keeping contingent, known by its French initials, MINURSO.

In 1975 the International Court of Justice issued an advisory opinion on the status of the Western Sahara. The Court held that while some of the region's tribes had historical ties to Morocco, the ties were insufficient to establish "any tie of territorial sovereignty" between the Western Sahara and the Kingdom of Morocco. The Court added that it had not found "legal ties" that might affect the applicable U.N. General Assembly resolution regarding the decolonization of the territory, and, in particular, the principle of selfdetermination for its people. Most Sahrawis (as the majority of persons living in the territory are called) live in the area controlled by Morocco, but there is a sizable refugee population near the border with Morocco in Algeria, and, to a lesser extent, in Mauritania. The majority of the Sahrawi population lives within the area delineated by a Moroccan-constructed berm, which encloses most of the territory.

Efforts by the Organization of African Unity (OAU) to resolve the sovereignty question collapsed in 1984 when the OAU recognized the Saharan Arab Democratic Republic, the civilian arm of the Polisario Front. Morocco withdrew from the OAU in protest.

In 1988 Morocco and the Polisario Front accepted the U.N. plan for a referendum that would allow the Sahrawis to decide between integration with Morocco or independence for the territory. The referendum was scheduled for January 1992, but was postponed because the parties were unable to agree on a common list of eligible voters—despite the previous acceptance by both parties of an updated version of the

Spanish census of 1974 as the base for voter eligibility. A complicated formula for determining voter eligibility ultimately was devised and, in August 1994, MINURSO personnel began to hold identification sessions for voter applicants.

The initial U.N. voter identification effort ended in December 1995 and, after several fruitless efforts to persuade the two parties to cooperate, the U.N. Security Council formally suspended the identification process in 1996. The United Nations and friendly governments continued to urge the two parties to seek a political solution to the conflict. In March 1997, U.N. Secretary General Kofi Annan appointed former U.S. Secretary of State James Baker as his personal envoy to examine possible approaches for a peaceful settlement. Baker visited the region, and negotiations between the Moroccan Government and the Polisario began in May 1997. In September 1997, representatives of Morocco and the Polisario met in Houston in the United States and consented to a series of compromise agreements on the 1991 U.N. settlement plan to hold a referendum under U.N. auspices. According to the Houston Accords, the identification of potential voters, the referendum campaign, and the vote were to take place by December 1998; however, operational considerations again delayed the scheduled referendum, and Annan's latest reports to the Security Council during the year expressed doubt that the referendum could be held before 2002.

In August 1998, MINURSO completed identification of voters in all uncontested tribal groupings. In November 1998, the U.N. Secretary General visited the region to examine ways to achieve compromise on several contested elements of the settlement plan in order to move the referendum process forward. After his consultations, the Secretary General proposed a series of measures in December 1998 to both parties. The measures proposed were aimed at establishing procedures among the parties to allow MINURSO to begin the identification process of three "contested tribes." After agreement between the parties was reached on the contested tribes, MINURSO began the identification process of an additional 65,000 potential voters. The identification process of the three contested tribes was completed in December 1999. Only 4 percent of the applicants in this phase of the identification process were deemed eligible to vote in the referendum. Roughly 80,000 appeals also have been registered by those who were deemed ineligible to vote after the first round of the identification process. Approximately 50,000 additional appeals were filed after the completion of the identification process for the 3 "contested tribes," bringing the total number of appeals to nearly 130,000. MINURSO has not yet begun to adjudicate appeals from the identification process, due to continuing differences between the parties over who should be eligible to appeal, on what grounds, and by what process.

As the end of MINURSO's mandate drew near in February, U.N. Secretary General Kofi Annan urged a review of the situation. Annan requested Baker to consult the parties to explore ways to achieve an "early, durable and peaceful" settlement to their dispute. Baker visited Algeria, Morocco, and the Western Sahara in April to consult with all of the interested parties. Baker sought to reconcile differences over the U.N. Settlement Plan or find other approaches that might resolve the dispute. He returned without a consensus and described the process as being in the same position as in 1997 and 1998. At the invitation of Annan, the Government of Morocco and the Polisario met in London in May and again in June in an attempt to resolve the parties' longstanding differences over the settlement plan, and to explore other avenues to resolve their dispute over the territory; however, little progress was made. In June Baker called on the parties to meet again, emphasizing that consideration should be given to finding a solution that reached a compromise between full independence for the territory and its full integration with Morocco. A technical meeting of the parties in Geneva in July to discuss the appeals process, confidence-building measures in the territory, and the fate of more than 1,600 Moroccan prisoner's of war (POW's) still held by the Polisario also failed to produce any breakthroughs. Annan made clear in three reports to the U.N. Security Council during the year that disputes between the parties over various issues in the Settlement Plan likely would delay the holding of the referendum for the foreseeable future.

Since 1977 the Saharan provinces of Layounne, Smara, and Boujdour have participated in local elections that are organized and controlled by the Moroccan Government. The southern province of Oued Ed-Dahab has participated in Moroccan-controlled elections since 1983. Sahrawis whose political views are aligned with the Moroccan Government fill all the seats allotted to the Western Sahara in the Moroccan Parliament.

The civilian population living in the Western Sahara under Moroccan administration is subject to Moroccan law. U.N. observers and foreign human rights groups maintain that Sahrawis have difficulty obtaining Moroccan passports, that the Government monitors the political views of Sahrawis more closely than those of Moroccan citizens.

can citizens, and that the police and paramilitary authorities react especially harshly against those suspected of supporting independence and the Polisario Front. The Moroccan Government limits access to the territory, and international human rights organizations and impartial journalists sometimes have experienced difficulty in securing admission.

After years of denying that Sahrawis were imprisoned in Morocco for Polisario-related military or political activity, the Government of Morocco released more than 300 such prisoners in 1991. Entire families, and Sahrawis who had disappeared in the mid-1970's, were among those released. The Government of Morocco has failed to conduct a public inquiry or to explain how and why those released spent up to 16 years in incommunicado detention without charge or trial. The former Sahrawi detainees have formed an informal association whose principal objective is to seek redress and compensation from the Government of Morocco for their detention. A delegation of this association continued to meet with various government officials, human rights organizations, members of the press, and diplomatic representatives in both Rabat and in Layoune during the year. They reported that little progress has been made in gaining the Moroccan Government's recognition of their grievances. However, in July the Government, through the Arbitration Commission of the Royal Advisory Council on Human Rights (CCDH), began distributing preliminary compensation payments to Sahrawis who had disappeared or been detained in the past, and their family members. The Government announced that it intended such initial payments to be provisional funds for Sahrawis with urgent medical or financial needs who had appealed for compensation by December 31, 1999, and that more compensation could be distributed pending the results of the Commission's review of petitions by Sahrawi claimants. However, only a small number of those Sahrawis who formerly had disappeared or been detained have filed compensation claims because of their perceptions that the process is flawed administratively and one-sided in favor of the Government.

In December 1999, Moroccan security forces that reportedly were dispatched from Rabat detained one Sahrawi in the Western Saharan city of Laayoune and two Sahrawis in the southern Moroccan cities of Tan-Tan and Agadir. The Government alleged that the three were spies for the Polisario Front. They reportedly were held for 8 days before their appearance in an Agadir court and before their families were informed of their detention. Family members and the Moroccan Association for Human Rights (AMDH) claimed that the arrests were a violation of human rights and due process, and proof that forced disappearances still occur in Morocco. A public trial was convened abruptly on May 30 after a lengthy and largely unpublicized police investigation that originally was to have culminated in a proceeding before a military tribunal. However, the case ultimately was tried in Agadir's court of first instance, and the three Sahrawis were convicted of threatening the internal security of the State and sentenced to 3 to 4 years in prison. According to a lawyer who represented the Sahrawis, during the trial the three defendants denied any relations with the Polisario Front, contradicting government allegations that the three confessed during their postarrest detention. During an appellate hearing on July 5, at the request of the public prosecutor all three were given 4-year sentences. On September 27, security forces in civilian dress detained a fourth Sahrawi at the Laayoune airport as he was about to board a flight to the Canary Islands. According to the Sahrawi's daughter, who witnessed the incident, two members of the security forces drove away with her father in a car with Casablanca license plates. Almost 10 days later, the Sahrawi reappeared in Agadir and was charged before the court of first instance for spying for the Polisario Front. Two days later, the fourth Sahrawi was sentenced to 4 years in prison for threatening the internal security of the State.

On April 5, a Moroccan civil court in the Western Sahara city of Laayoune sentenced five Sahrawi youth to prison terms of between 5 and 10 years for the "formation of a criminal association" after their alleged participation in a March 4 stone-throwing incident in Laayoune. Reliable sources said that the incident was spontaneous, unorganized, and lasted only 5 minutes.

The stone-throwing demonstration followed similar protests by Sahrawi students in several southern Moroccan and Western Sahara cities at the end of February and in early March, which security forces brutally dispersed in violent clashes. The February and March demonstrations came in response to the December 1999 incarceration of three Sahrawis accused of spying for the Polisario Front. Attendees at the trial, human rights activists, and an attorney for the five defendants criticized the handling of the trial, particularly the court's refusal to hear witnesses for the defense who allegedly could corroborate claims by at least two of the defendants that they were not present at the demonstrations. The court allegedly based its judgment on police reports and the testimony of two witnesses, one of whom reportedly could

not identify positively the accused; the other was not present at the trial, but claimed that he saw in his rear view mirror a youth throwing a bottle at his car. The prosecution reportedly did not present a bottle as evidence nor did it present a witness who could testify that any of the five accused had thrown the bottle. The authorities claimed that the youths threw rocks at several vehicles, including one belonging to peacekeepers from the MINURSO contingent based in Laayoune, and attempted to set fire to a truck. However, the youths were acquitted of the arson charge during the trial. An attorney for the youths, who maintained that the prosecution produced no evidence of an incriminating act, stated that "the verdict had nothing to do with justice." The attorney also alleged that the judicial police investigating the affair committed several illegal acts by unlawfully entering homes of the accused and detaining them, torturing them during their detention, and forcing them under duress to sign police reports, which they were not allowed to read and which contained falsehoods. The decision was appealed before the court of appeals in Laayoune, which reportedly sent it to the Supreme Court in Rabat. A hearing on the case had not been held by year's end. Families of the five youths also sent a letter to the Moroccan royal palace in May requesting a royal pardon; however, the King took no action by year's end.

In its annual human rights report released in June, Amnesty International noted that some members of the Moroccan security forces in Morocco and the Western Sahara who were involved in several cases of torture were arrested and prosecuted. However, the organization also noted that "in the majority of cases, investigations were either not opened into complaints and allegations of torture ... or were opened but dismissed without adequate investigation."

During the year, there were no new developments related to police abuses committed in the Western Sahara city of Laayoune in September and October 1999, when police authorities there used brutal force to break up demonstrations organized by students, unemployed graduates, miners, and former Sahrawi political prisoners who were protesting a variety of social grievances. Police detained roughly 150 persons during the protests in September 1999 and 31 in October 1999. Police subjected some of those who were detained during violence in September 1999 to systematic beatings and other forms of physical coercion. Most of those detained were released; however, 26 persons were charged and sentenced to 10 to 15 years in prison on charges of destruction of property during the protests. Despite appeals lodged by defense lawyers during the year, none of these sentences were reduced or overturned.

In the aftermath of the September 1999 protests, King Mohammed VI immediately replaced the governor of the province, relieved the local police chief of his duties, and dispatched military security forces to the city to help restore order. A new royal commission was dispatched quickly to Laayoune in early October 1999 to explain to local residents proposed new measures to decentralize authority in the region, which would allow local residents more choice in their affairs, and to announce a new election to choose members to a proposed new royal advisory council on the Western Sahara.

Despite the actions taken to restore confidence and order and to lessen tensions, renewed violence broke out in late October 1999. There were credible reports that the police provoked the violence, and there were further credible reports that police authorities unlawfully entered homes to arrest persons associated with the demonstrations in September 1999. Police reportedly detained 31 persons. Of these individuals, 10 persons reportedly were released within 24 hours and the remainder released within the following 2-week period. There was no investigation during the year into the excessive use of force by the police during either September 1999 or October 1999. There was also no progress during the year on local elections to choose members to the proposed new royal advisory council on the Western Sahara that the King had announced in October 1999.

A number of other Sahrawis remain imprisoned for peaceful protests supporting Saharan independence. Youths released in previous years report that the Moroccan police continue to monitor them closely.

The Polisario Front claims that the Moroccan Government continues to hold several hundred Sahrawis as political prisoners and approximately 300 as POW's. However, the Government of Morocco formally denies that any Sahrawi former combatants remain in detention. Representatives of the International Committee of the Red Cross (ICRC) have stated that Morocco indeed has released all Polisario former combatants. A committee that represents former Sahrawi prisoners also believes that the Government of Morocco no longer holds any of those Sahrawis who were detained illegally during the 1970's and 1980's. The committee based this determination on interviews with family members of individuals who had been detained during that period.

The Government of Morocco claims that 30,000 Sahrawi refugees are detained against their will by the Polisario in camps around Tindouf, Algeria. The Polisario denies this charge. According to credible reports, the number of refugees in Tindouf far exceeds 30,000, but the allegation that they wish to leave remains unsubstantiated.

The ICRC reported that the Polisario now holds 1,481 Moroccan POW's. A group of 185 POW's was repatriated to Morocco in a humanitarian airlift conducted under ICRC auspices in November 1995. In April 1997, Polisario leaders offered to release 85 Moroccan POW's as a good will gesture during U.N. envoy Baker's first meetings in Tindouf, but Morocco and the Polisario could not agree on the conditions of their release. On February 25, the Polisario released 186 Moroccan POW's, many of whom had been in detention for more than 20 years. Another 201 were released to the ICRC and repatriated to Morocco on December 14. The U.N. settlement plan calls for the release of all POW's after the voter identification process is complete. Foreign diplomats and representatives of international organizations privately urged the Polisario throughout the year to release the remaining Moroccan POW's, and emphasized that their continued detention 9 years after the cessation of hostilities was a violation of their human rights. During visits to the POW camps outside Tindouf, Algeria in April and November, the ICRC determined that all the Moroccan POW's were in extremely bad health. There also are credible reports that the Polisario authority used the POW's in forced labor. The Polisario leadership has refused to comply with repeated requests that all of the POW's be released on humanitarian grounds, despite the fact that most of the POW's have been in detention for more than 20 years and that their health was deteriorating seriously due to the poor conditions under which they are held.

There were no new cases of disappearance for the fourth consecutive year in that part of the Western Sahara under Moroccan administration. While the forced disappearance of individuals who opposed the Government of Morocco and its policies occurred over several decades, the Government in 1998 pledged to ensure that such policies do not recur, and to disclose as much information as possible on past cases. Many of those who disappeared were Sahrawis or Moroccans who challenged the Government's claim to the Western Sahara, or other government policies. Many of those who disappeared were held in secret detention camps. Although the Government released more than 300 such detainees in June 1991 and in October 1998 issued an announcement on those who had disappeared, hundreds of Sahrawi and Moroccan families still do not have any information about their missing relatives, many of whom disappeared over 20 years ago (see Section 2.b. of the Morocco report). On July 17, the Paris-based International Federation of Human Rights Leagues (FIDH) published a communique in which it claimed that disappearances of Sahrawis in the Western Sahara could number up to 1,500, although conditions in the territory prevented full confirmation of this figure.

Freedom of expression and freedom of peaceful assembly and association remain very restricted in the Western Sahara. According to Amnesty International, Moroccan authorities continue to deny the registration of the independent newspaper Sawt Al-Janoub.

Freedom of movement within the Western Sahara is limited in militarily sensitive areas, both within the area controlled by the Government of Morocco and the area controlled by the Polisario. Both Moroccan and Polisario security forces sometimes subject travelers to arbitrary questioning. There were no reports of detention for prolonged periods during the year.

During the year, Amnesty International and news articles in Morocco-based media highlighted the deteriorating situation in Polisario Front camps near Tindouf in southwestern Algeria, where freedom of expression, peaceful assembly, association, and movement remain very restricted.

There is little organized labor activity in the Western Sahara. The same labor laws that apply in Morocco are applied in the Moroccan-controlled areas of the Western Sahara. Moroccan unions are present in the Moroccan-controlled Western Sahara but are not active. The 15 percent of the territory outside Moroccan control does not have any major population centers or economic activity beyond nomadic herding. The Polisario-sponsored labor union, the Sario Federation of Labor, is not active in the Western Sahara.

A group of phosphate miners participated in the demonstrations in Layoune in September and October 1999. They claimed that the government-owned phosphate company, for which they work, has failed to respect a contract that had been negotiated between the miners and the company's former Spanish management when Spain withdrew from the territory and relinquished control of the mines to Morocco. The miners stated that they held a series of meetings in late 1999 with officials of the government-owned phosphate company after the demonstrations, but that no

agreement was reached about enforcement of what they believed to be their contractually protected rights.

There were no strikes, other job actions, or collective bargaining agreements during the year. Most union members are employees of the Moroccan Government or state-owned organizations. They are paid 85 percent more than their counterparts outside the Western Sahara as an inducement to Moroccan citizens to live there. Workers in the Western Sahara were exempt from income and value-added taxes and received subsidies on such commodities as flour, oil, sugar, fuel, and utilities.

Moroccan law prohibits forced labor, which does not appear to exist in the Western Sahara.

Regulations on the minimum age of employment are the same as in Morocco. Child labor appears to be less common than in Morocco, primarily because of the absence of industries most likely to employ children, such as rug-knotting and other traditional handicrafts. A government work program for adults, the Promotion Nationale, provides families with enough income that children need not be hired out as domestic servants. Children in the few remaining nomadic groups presumably work as shepherds along with other group members.

The minimum wage and maximum hours of work are the same as in Morocco. However, in practice workers in some fish processing plants may work as many as 12 hours per day, 6 days per week, well beyond the 10-hour day, 48-hour week maximum stipulated in Moroccan law. Occupational health and safety standards are the same as those enforced in Morocco. They are rudimentary, except for a prohibition on the employment of women in dangerous occupations.

OMAN

The Sultanate of Oman is a monarchy that has been ruled by the Al Bu Sa'id family since the middle of the 18th century. It has no political parties, but does have one representative institution, which is directly elected by voters selected by the Government. The current Sultan, Qaboos Bin Sa'id Al Sa'id, acceded to the throne in 1970. Although the Sultan retains firm control over all important policy issues, he has brought tribal leaders—even those who took up arms against his family's rule—and other notables into the Government. In accordance with tradition and cultural norms, much decisionmaking is by consensus among these leaders. In 1991 the Sultan established a 59-seat Consultative Council, or Majlis Al-shura, which replaced an older advisory body. Beginning with the September elections, Council members are chosen directly by the vote of 175,000 government-selected electors. The Council was expanded to 83 seats for the September elections. The Council has no formal legislative powers but may question government ministers, even during unrehearsed televised hearings, and recommend changes to new laws on economic and social policy, which sometimes leads to amendments to proposed decrees. In December 1997, the Sultan appointed 41 persons as members of the new Council of State (Majlis Al-Dawla), which with the current Consultative Council forms the bicameral body known as the Majlis Oman (Council of Oman). In late 1996, the Sultan promulgated by decree the country's "Basic Charter" (also known as the Basic Law), which provides for citizens' basic rights in writing for the first time. The courts are subordinate to the Sultan and subject to his influence.

The internal and external security apparatus falls under the authority of the Royal Office, which coordinates all intelligence and security policies. The Internal Security Service investigates all matters related to internal security. The Royal Oman Police, whose head also has cabinet status, performs regular police duties, provides security at airports, serves as the country's immigration agency, and maintains a small coast guard. In the past, there were credible reports that security forces occasionally abused detainees.

Since 1970 Oman has used its modest oil revenue to make impressive economic progress and improve public access to health care, education, and social services. The economy is mixed, with significant government participation in industry, transportation, and communications. The Government seeks to diversify the economy and stimulate private investment.

The Government generally respected its citizens' human rights in some areas; however, its record was poor in other areas, particularly with respect to citizens' rights to change or criticize the Government. Human rights abuses have included mistreatment of detainees, arbitrary arrest, prolonged detention without charge, and the denial of due process; however, there were no reports of such abuses during the year. The Government restricted freedom of expression and association and did not ensure full rights for women and workers.

The 1996 Basic Charter provides for many basic human rights, such as an independent judiciary, and freedoms of association, speech, and the press. The Basic Charter states that the Government was to strive to issue all enabling laws within 2 years of November 1996; however, this has not occurred. Only certain laws pertaining to the legal code for family and interpersonal relationships, to judicial reform, and to aspects of the Finance Ministry, had been enacted by year's end. There has been no public statement made by the Government noting the end of the 2-year period since issuance of the Basic Charter and proposing a new target date for implementation.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political or other extrajudicial killings.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—There have been allegations in the past that the security forces abused some detainees, particularly during interrogation. The abuse does not appear to have been systematic and often varied depending upon the social status of the victim, the official involved, and the location of the incident (for example, whether the abuse occurred in a rural or an urban area). The authorities have made efforts to prevent such abuse, and there were no confirmed incidents of such abuse in recent years. Unlike in previous years, there were no reports that detainees sometimes were left in isolation with promises of release or improved treatment as a means to elicit confessions or information. Judges have the right to order investigations of allegations of mistreatment. The 1996 Basic Charter, which has not yet been implemented in this area, specifically prohibits "physical or moral torture" and stipulates that all confessions obtained by such methods are to be considered null and void. There were no reports of torture during the year.

On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made.

Prison conditions appear to meet minimum international standards. In the past, access to some prisoners was restricted severely.

The Government does not permit independent monitoring of prisons.

d. Arbitrary Arrest, Detention, or Exile.—The police may obtain warrants prior to making arrests but are not required by law to do so. However, within 24 hours of arrest, the authorities must obtain court orders to hold suspects in pretrial detention, and the police are required to file charges or ask a magistrate judge to order continued detention. However, in practice the police do not always follow these procedures. Judges may order detentions for 14 days to allow investigation and may grant extensions if necessary. There is a system of bail. The 1996 Basic Charter provides for certain legal and procedural rights for detainees; however, these provisions have yet to be implemented.

Police handling of arrests and detentions constitutes incommunicado detention in some instances. The police do not always notify a detainee's family or, in the case of a foreign worker—the worker's sponsor—of the detention. Sometimes notification is made only just prior to the detainee's release. The authorities post the previous week's trial results (including the date of the trial, the name of the accused, the claim, and the sentence) near the magistrate court building in Muscat. The police do not always permit attorneys and family members to visit detainees. Judges occasionally intercede to ensure that security officials allow such visits.

On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made.

The Government does not practice exile as a form of punishment. The 1996 Basic Charter prohibits exile; however, the provisions concerning exile have yet to be implemented.

e. Denial of Fair Public Trial.—The 1996 Basic Charter affirms the independence of the judiciary; however, the various courts are subordinate to the Sultan and subject to his influence. The Sultan appoints all judges, acts as a court of final appeal, and intercedes in cases of particular interest, especially in national security cases. However, there have been no reported instances in which the Sultan has overturned a decision of the magistrate courts or the commercial courts.

The judiciary comprises the magistrate courts, which adjudicate misdemeanors and criminal matters; the Shari'a (Islamic law) courts, which adjudicate personal status cases such as divorce and inheritance, and which are administered by the Ministry of Justice; the commercial courts; the Labor Welfare Board; and the Rent Dispute Committee, which hears tenant-landlord disputes.

The magistrate court system was established by royal decree in 1984 to take over all criminal cases from the Shari'a courts; it is independent and its president reports directly to the Sultan. Regional courts of first instance handle misdemeanor cases, which are heard by individual judges. All felonies are adjudicated at the Central Magistrate Court in Muscat by a panel made up of the President of the Magistrate Court and two judges. All rulings of the felony panel are final except for those in which the defendant is sentenced to death. Death sentences must be approved by the Sultan.

The Criminal Appeals Panel also is presided over by the President of the Magistrate Court in Muscat, and includes the court's vice president and two judges. This panel hears appeals of rulings made by all courts of first instance. In the past, specially trained prosecutors from the Royal Oman Police (ROP), all of whom are trained as policemen as well as prosecutors carried out the role of public prosecutor in criminal cases; however, as a step toward implementing a November 1999 Royal decree affirming the independence of the judiciary, prosecutors were made independent of the ROP.

The Criminal Code does not specify the rights of the accused. There are no written rules of evidence, codified procedures for entering cases into the criminal system, or any legal provision for a public trial. Criminal procedures have developed by tradition and precedents in the magistrate courts. In criminal cases, the police provide defendants with the written charges against them; defendants are presumed innocent and have the right to present evidence and confront witnesses. The prosecution and the defense direct questions to witnesses through the judge, who is usually the only person to question witnesses in court. A detainee may hire an attorney but has no explicit right to be represented by counsel.

The 1996 Basic Charter affirms both right to counsel and government-funded legal representation for indigents; however, these provisions have yet to be implemented, and the Government does not pay for the legal representation of indigents. Judges often pronounce the verdict and sentence within 1 day of the completion of a trial. Defendants may appeal jail sentences longer than 3 months and fines over the equivalent of \$1,300 (480 rials) to a three-judge panel. Defendants accused of national security offenses and serious felonies do not have the right of appeal.

A State Security Court tries cases involving national security and criminal cases that the Government decides require expeditious or especially sensitive handling. Magistrate court judges have presided over trials in the State Security Court. Defendants tried by the Security Court are not permitted to have legal representation present. The timing and the location of the Court's proceedings are not disclosed publicly. The Court does not follow legal procedures as strictly as the magistrate courts, although prominent civilian jurists form the panel. The Sultan has exercised his powers of leniency, including in political cases.

The Shari'a courts are administered by the Ministry of Justice, and apply Shari'a law as interpreted under the Ibadhi school of Islamic jurisprudence. Preliminary courts of first instance are located in each of the 59 "wilayats," and are presided over by a single judge, or qadi. Appeals of the rulings of the courts of first instance involving prison sentences of 2 weeks or more or fines greater than \$270 (100 rials) must be brought within 1 month before the Shari'a Court of Appeals in Muscat. Panels of three judges hear appeals cases. Court of Appeal rulings themselves may be appealed, within a 1-month period, to the Supreme Committee for Complaints, which is composed of four members, including the Minister of Justice and the Grand Mufti of the Sultanate.

In 1997 the Government promulgated into law the provisions of the 1996 Basic Charter pertaining to "family law," i.e., law that falls under the purview of the Shari'a courts. The effect of this new law has been to regularize the nature of the cases and the range of corresponding judgments within the Shari'a court system.

The Authority for the Settlement of Commercial Disputes (ASCD), better known as the commercial courts system, was established by royal decree in 1981 to decide all cases related to commercial matters. Subsequent decrees have empowered the commercial courts to decide labor disputes referred to it by government departments, commercial disputes to which the Government is a party, and arbitration cases involving private parties. The ASCD is financially and administratively independent of the Ministry of Justice and reports directly to the Minister of Commerce and Industry. The ASCD is made up of the Chairman, Deputy Chairman, a number of judges appointed by royal decree, and members of the Oman Chamber of Commerce and Industry. Cases are heard in regional courts for suits involving not more than \$27,000 (10,000 rials).

In November 1999, the Sultan issued several royal decrees to establish a law on judicial authority and to affirm the independence of the judiciary as called for in the 1996 Basic Charter. The decrees formally established the judiciary as an inde-

pendent, hierarchical system composed of a Supreme Court, an appeals court, primary courts (one located in each region), and, within the primary courts, divisional courts. Within each of the courts there are to be divisions to handle commercial, civil, penal, labor, taxation, general, and personal cases (the latter under Shari'a). The general prosecutor, which currently falls under the Royal Omani Police Chief Inspector, is to become an independent legal entity. Implementation of these decrees is expected to take place in early 2001.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The police are not required by law to obtain search warrants. There is a widespread belief that the Government eavesdrops on both oral and written communications, and citizens are guarded in both areas. Citizens must obtain permission from the Ministry of Interior to marry foreigners, except nationals of the Gulf Cooperation Council (GCC) countries. Such permission is not granted automatically. Delays or denial of permission have resulted in secret marriages within Oman. Marriages in foreign countries can lead to denial of entry into Oman of the foreign spouse and prevent a legitimate child from claiming citizenship rights.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The law prohibits criticism of the Sultan in any form or medium. The authorities tolerate criticism of government officials and agencies, but such criticism rarely receives media coverage. The announced 1996 Basic Charter provides for freedom of opinion expressed in words, writing, or all other media within the limits of the law; however, these provisions have yet to be implemented.

The 1984 Press and Publication Law authorizes the Government to censor all domestic and imported publications. Ministry of Information censors may act against any material regarded as politically, culturally, or sexually offensive. Journalists and writers generally censor themselves to avoid government harassment. Editorials generally are consistent with the Government's views, although the authorities tolerate some criticism on foreign affairs issues. The Government discourages in-depth reporting on controversial domestic issues and seeks to influence privately owned dailies and periodicals by subsidizing their operating costs.

In late 1997, the Government began to permit the entry onto the market of foreign newspapers and magazines containing reports or statements deemed critical of Oman, including articles critical of the Sultan. The lifting of the boycott against Israel in December 1994 eliminated prohibitions on publications from or about Israel that otherwise meet censorship standards. However, in August 1999, the Ministry of Information stopped distribution of a London-based, Arabic-language magazine that contained an interview with a representative of the Israeli trade mission in Oman. Customs officials sometimes confiscate video cassette tapes and erase offensive material despite the fact that there are no published guidelines on what is viewed as "offensive." The tapes may or may not be returned to their owners. Government censorship decisions are changed periodically without apparent reason. There is a general perception that the confiscation of books and tapes at the border from private individuals and restrictions on popular novels have eased somewhat; however, it reportedly has become more difficult to obtain permission to distribute in the local market books that censors decide have factual errors about Oman (including outdated maps).

The Government controls the local radio and television companies. They do not air any politically controversial material. The Government does not allow the establishment of privately owned radio and television companies. However, the availability of satellite dishes has made foreign broadcast information accessible to the public. The Government, through its national telecommunications company, provides full, uncensored Internet access to citizens and foreign residents; however, as use of the Internet to express views not normally permitted in other media has grown, the Government has taken some steps to monitor and control its use. Warnings have appeared on web sites that criticism of the Sultan or personal criticism of government officials is likely to be censored; however, at least some of these sites have operated without apparent interference.

The appropriate government authority, such as Sultan Qaboos University, the police, or the relevant ministry, must approve public cultural events, including plays, concerts, lectures, and seminars. Most organizations avoid controversial issues due to fear that the authorities may cancel their events.

Academic freedom is restricted, particularly regarding controversial matters, including politics. Professors may be dismissed for going beyond acceptable boundaries.

b. Freedom of Peaceful Assembly and Association.—The law does not ensure freedom of assembly; all public gatherings require government sponsorship. The authorities do not always enforce this requirement, and gatherings sometimes take place without formal government approval. Over the course of 8 days in October, rare public demonstrations in support of the Palestinians and against Israeli and United States policies took place at Sultan Qaboos University and other venues. Most demonstrators were young men, and most demonstrations were peaceful. Some demonstrations included rock throwing and vandalism of private vehicles. On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made. The Government, after 8 days of demonstrations, took quiet action to prohibit further demonstrations. Regulations implemented in 1994 restricting most types of public gatherings remain in effect. The 1996 Basic Charter provides for limited freedom of assembly, but these provisions have not yet been implemented.

The law states that the Ministry of Social Affairs, Labor, and Vocational Training must approve the establishment of all associations and their bylaws; however, some groups are allowed to function without formal registration. The Government uses the power to license associations to control the political environment. It does not license groups regarded as a threat to the predominant social or political views of the Sultanate. Formal registration of foreign associations is limited to a maximum of one association for any nationality. The 1996 Basic Charter's provisions in this area—not yet in effect—regulate the formation of associations. In February a royal decree was promulgated that allowed for the formation of nongovernmental organizations (NGO's) in the area of services for women, children, and the elderly.

c. Freedom of Religion.—Islam is the state religion, which is affirmed by the 1996 Basic Charter. The 1996 Basic Charter provides that Shari'a is the basis for legislation and preserves the freedom to practice religious rites, in accordance with tradition, provided that such freedom does not breach public order. Discrimination against individuals on the basis of religion or sect is prohibited. Implementing decrees for the 1996 Basic Charter in this area have not yet been established. Non-Muslim religious organizations must be registered with the Government and the Government restricts some of their activities.

Most citizens are Ibadhi or Sunni Muslims, but there is also a minority of Shi'a Muslims. Non-Muslims are free to worship at churches and temples built on land donated by the Sultan. There are many Christian denominations, which utilize two plots of donated land on which two Catholic and two Protestant churches have been built. Hindu temples also exist on government-provided land. Land has been made available to Catholic and Protestant missions in Sohar and Salalah.

In June the departure from the country of a foreign Baha'i due to termination of his employment may have been hastened by the proselytizing activities of his wife. The authorities requested members of the Baha'i community to sign statements that they will not proselytize, in accordance with the country's law and custom.

The Government prohibits non-Muslims from proselytizing. It also prohibits non-Muslim groups from publishing religious material, although religious material printed abroad may be brought into the country. Members of all religions and sects are free to maintain links with coreligionists abroad and undertake foreign travel for religious purposes.

The police monitor mosque sermons to ensure that the preachers do not discuss political topics and stay within the state-approved orthodoxy of Islam. The Government expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government does not restrict travel by citizens within the country except to military areas. Foreigners other than diplomats must obtain a government pass to cross border points. To obtain a passport and depart the country, a woman must have authorization from her husband, father, or nearest male relative. However, a woman having an Omani identity card (which also must be authorized by a male relative) may travel to certain Gulf Cooperation Council countries without a passport.

Until the promulgation of the Basic Charter, the Government did not have a policy on refugees or a tradition of harboring stateless or undocumented aliens. The 1996 Basic Charter prohibits the extradition of political refugees; however, this provision has not yet been implemented. The issue of the provision of first asylum did not arise during the year. Oman offered temporary refuge to several thousand Yemenis displaced by a civil war in 1994. They returned to Yemen after the war. Tight control over the entry of foreigners into the country effectively has screened out would-be refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Oman is an autocracy in which the Sultan retains the ultimate authority on all important foreign and domestic issues. The country has no formal democratic political institutions, and its citizens do not have the ability peacefully to change their leaders or the political system.

The Sultan promulgated the country's first defacto written constitution, known as the Basic Charter, in November 1996. Although it has immediate force of law, most laws and regulations to implement its provisions have not yet been enacted; it is expected that this process may take until 2001 or beyond to be completed. The law does not provide for political parties or direct elections. Citizens have indirect access to senior officials through the traditional practice of petitioning their patrons, usually the local governor, or wali, for redress of grievances. Successful redress depends on the effectiveness of the patron's access to appropriate decisionmakers. The Sultan appoints the governors. The Sultan makes an annual 3-week tour of the country, accompanied by his ministers. The tour allows the Sultan to listen directly to his subjects' concerns.

In 1991 Sultan Qaboos established a Consultative Council, or Majlis Al-shura. In 1994 he expanded the number of Council seats to 80 from the original 59, which resulted in the allocation of 2 members for districts with a population of more than 30,000. Due to the population increase from 1994 to 2000, the number of seats was expanded further to 82 for the 1997 elections and to 83 for the September elections. Unlike in 1999, when the Government selected the Council members from several nominees who were elected only by prominent persons in each district, the Government established a new system beginning with the September elections under which council members, male and female, are elected directly by receiving the most votes from eligible voters in their districts. In the October 1997 elections, 55,000 men and women, 3 percent of the total population, were eligible to nominate Council members in all districts throughout the country. In the September elections, the Government selected more than 175,000 men and women to register to vote, of whom 114,000 registered and 100,000 voted. The number of eligible female voters increased from 5,000 to 52,000. In August a royal decree abolished the prior procedure under which voters (or electors) had volunteered as candidates for Council seats, had their police records checked by the Government, and relied on government approval of their decision to run. If the Sultan decided not to appoint them, the nominees with the most votes did not win appointment to the Council. Under the new procedures, candidates are not subject to government scrutiny, and the Sultan no longer ratifies winning candidates. At least two sitting members of the Council were excluded from standing for reelection in September because of their criticism of ministers during previous council sessions.

The Council has no formal legislative powers, which remain concentrated in the Sultan's hands; however, it serves as a conduit of information between the people and the government ministries. No serving government official is eligible to be a Council member. The Council may question government ministers in public or in private, review all draft laws on social and economic policy, and recommend legislative changes to the Sultan, who makes the final decision. During the year, the membership of the Majlis Al-Dawla (Council of State), which was established in 1997, was increased from 41 to 48 members. The precise responsibilities of the Council of State and its relationship to the existing Consultative Council have yet to be clarified. The Council of State and the Consultative Council together form the Majlis Oman, or Council of Oman. A royal directive issued in April prohibited members of the Council of Oman from serving more than two 3-year terms.

The Sultan publicly has advocated a greater role for women in both the public and private sectors; however, women remained underrepresented in government and politics. In the 1997 elections, the Government selected two women from among the nominees to serve on the Consultative Council. In December 1997, the Sultan appointed 4 women to the 41-member Majlis Al-Dawla; during the year he appointed 5 women to the now 48-member body. In 1999 the Sultan, for only the second time, appointed a woman to the Oman Chamber of Commerce and Industry (OCCI) board.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of human rights groups. The existing restrictions on the freedom of speech and association do not permit any activity or speech critical of the Government. There were no known requests by international human rights organizations to visit.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The 1996 Basic Charter prohibits discrimination on the basis of sex, ethnic origin, race, religion, language, sect, place of residence, and social class; however, decrees to implement its provisions have not been promulgated. Institutional and cultural discrimination based on gender, race, religion, social status, and disability exists.

Women.—There is no evidence of a pattern of spousal abuse although observers say that allegations of such abuse in the Shari'a courts are not uncommon. Definitive information is scant and difficult to collect. Doctors do not have a legal responsibility to report either spouse or child abuse cases to the courts. Battered women may file a complaint with the police but more often seek family intervention to protect them from violent domestic situations. Likewise, families seek to intervene to keep such problems out of public view. There have been reports that employers or male coworkers have sexually harassed foreign women employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have complained that their employers have withheld their salaries and that government officials have been unresponsive to their grievances, due to investigative procedures that disadvantage the victim. Individuals known to be abusing domestic servants are not always brought to account for their actions. In the past, several foreign women have had to ask their governments' embassies for shelter to escape abuse (see Section 6.e.).

Most women live within the confines of their homes. They continue to face many forms of discrimination. Illiteracy among older women hampers their ability to own property, participate in the modern sector of the economy, or even inform themselves of their rights. Government officials frequently deny women land grants or housing loans and prefer to conduct business with a woman's husband or other male relative. Women require permission from a male relative to leave the country (see Section 2.b.).

Some aspects of Islamic law and tradition as interpreted in the country also discriminate against women. Shari'a favors male heirs in adjudicating inheritance claims. Many women are reluctant to take an inheritance dispute to court for fear of alienating the family.

Since 1970 conditions for women have improved dramatically in several areas. Whereas in 1970 no schools existed for girls, the most recent figures available from the Ministry of Education report an enrollment rate nearing 90 percent for all girls eligible for elementary school. In the 1997–98 school year, female students constituted approximately 50 percent of the total number of students attending public schools. Women constitute roughly half of the 5,000 students at Sultan Qaboos University. In November 574 women and 497 men received bachelor's degrees as mem-

munity. LCDC activities focus on health and sociology lectures, child care issues, and agricultural and traditional handicraft training programs.

Children.—The Government has made the health, education, and general welfare of children a budgetary priority. Primary school education is free and universal but not compulsory. Most children attend school through secondary school, to age 18. No significant sectors or groups within the population are prevented from receiving an education. The infant mortality rate continues to decline, and comprehensive immunization rates have risen. There is no pattern of familial or other child abuse. Government officials have publicly called for greater awareness and prevention of child abuse.

A few communities in the interior and in the Dhofar region still practice female genital mutilation (FGM). FGM is condemned widely by international health experts as damaging to both physical and psychological health. Experts believe that the number of such cases is small and declining annually.

People with Disabilities.—The Government has mandated parking spaces and some ramps for wheelchair access in private and government office buildings and shopping centers. Compliance is voluntary, yet widely observed. Students in wheelchairs have easy access to Sultan Qaboos University. The Government has established several rehabilitation centers for disabled children. Disabled persons, including the blind, work in government offices. While the Government now charges a small fee to citizens seeking government health care, the disabled generally are not charged for physical therapy and prosthetics support.

Religious Minorities.—Some members of the Shi'a Muslim minority claim that they face discrimination in employment and educational opportunities. However, some members of this same community occupy prominent positions in both the private and public sectors.

National/Racial/Ethnic Minorities.—In the past, citizens of east African origin complained that they frequently faced job discrimination in both the public and private sectors. Some public institutions reportedly favor hiring members of one or another regional, tribal, or religious group. However, no group is banned from employment.

Section 6. Worker Rights

a. The Right of Association.—The current law stipulates that "it is absolutely forbidden to provoke a strike for any reason." The Government has not yet promulgated a new labor law that was first drafted by the Ministry of Social Affairs and Labor in 1994. In the last quarter of 1996, the Consultative Council recommended some changes to the draft, but the Government has not yet issued the new law. Government officials have stated that the new labor law is to be consistent with international labor standards.

Labor unrest is rare. There have not been any known job actions within the last 7 years.

b. The Right to Organize and Bargain Collectively.—The current law does not provide for the right to collective bargaining; however, it requires that employers of more than 50 workers form a joint labor-management committee as a communication forum between the two groups. The implementation of this provision is uneven, and the effectiveness of these committees is questionable. In general the committees discuss such matters as the living conditions at company-provided housing. They are not authorized to discuss wages, hours, or conditions of employment. Such issues are specified in the work contracts signed individually by workers and employers and must be consistent with the guidelines of the Ministry of Social Affairs and Labor.

The current law defines conditions of employment for some citizens and foreign workers. It covers domestic servants and construction workers but not temporary workers or those with work contracts that expire within 3 months. Foreign workers constitute at least 50 percent of the work force and as much as 80 percent of the modern-sector work force.

Work rules must be approved by the Ministry of Social Affairs and Labor and posted conspicuously in the workplace by employers of 10 or more workers. Similarly any employer with 50 or more workers must establish a grievance procedure. Regardless of the size of the company, any employee, including foreign workers, may file a grievance with the Labor Welfare Board. Sometimes worker representatives file collective grievances, but most grievances are filed by individual workers. Lower paid workers use the procedure regularly. Plaintiffs and defendants in such cases may be represented by legal counsel.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The 1973 Labor Law prohibits forced or bonded labor, and although the enabling laws have not yet been imple-

mented, the 1996 Basic Charter affirms that forced or bonded labor for any person is prohibited; however, governmental investigative and enforcement mechanisms are lacking. Foreign workers sometimes find themselves in situations amounting to forced labor. In such cases, employers withhold letters of release (documents that release workers from employment contracts), which allow them to change employers. Without such a letter, a foreign worker must continue to work for his current employer or become technically unemployed, which is sufficient grounds for deportation. Many foreign workers are not aware of their right to take such disputes before the Labor Welfare Board. Others are reluctant to file complaints for fear of retribution from unscrupulous employers. In most cases, the Board releases the worker from service and awards compensation for time worked under compulsion. Employers face no other penalty than to reimburse the worker's back wages.

The law prohibits forced or bonded labor by children, and instances of forced or bonded child labor are unknown.

d. Status of Child Labor Practices and Minimum Age for Employment.—The 1973 Labor Law prohibits children under the age of 13 from working. The Ministry of Social Affairs and Labor enforces this prohibition; however, in practice the enforcement often does not extend to some small family businesses that employ underage children, particularly in the agricultural and fisheries sectors. Children between 13 and 16 years of age may be employed but must obtain the Ministry's permission to work overtime, at night, on weekends or holidays, or perform strenuous labor. Child labor does not exist in any industry.

Although primary school education is not compulsory, most children attend school to age 18 (see Section 5).

The law specifically prohibits forced or bonded labor by children and it is not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work.—The Ministry of Social Affairs and Labor issues minimum wage guidelines for various categories of workers. In July 1998, the Government raised the minimum wage for most citizens to about \$270 (100 rials) per month, plus \$54 (20 rials) for transportation and housing. Minimum wage guidelines do not apply to a variety of occupational categories, including small businesses that employ fewer than five persons, the self-employed, domestic servants, dependent family members working for a family firm, and some categories of manual labor. Many foreigners work in occupations that are exempt from the minimum wage law, and the Government is lax in enforcing minimum wage guidelines, where applicable, for foreign workers employed in menial jobs. However, highly skilled foreign workers frequently are paid more than their Omani counterparts.

The minimum wage is sufficient to provide a decent standard of living for a worker and family. The compensation for foreign manual laborers and clerks is sufficient to cover living expenses and to permit savings to be sent home.

The private sector workweek is 40 to 45 hours and includes a rest period from Thursday afternoon through Friday. Government workers have a 35-hour workweek. While the law does not designate the number of days in a workweek, it requires at least one 24-hour rest period per week and mandates overtime pay for hours in excess of 48 per week. Government regulations on hours of employment are not always enforced. Employees who have worked extra hours without compensation may file a complaint before the Labor Welfare Board, but the Board's rulings are not binding.

Every worker has the right to 15 days of annual leave during the first 3 years of employment and 30 days per year thereafter. Employers provide many foreign nationals, including domestic servants, with annual or biannual round trip tickets to their countries of origin.

All employers are required by law to provide first aid facilities. Work sites with over 100 employees must have a nurse. Employees covered under the Labor Law may recover compensation for injury or illness sustained on the job through employer-provided medical insurance. The health and safety standard codes are enforced by inspectors from the Department of Health and Safety of the Directorate of Labor. As required by law, they make regular onsite inspections.

There have been reports that employers or male coworkers have sexually harassed and abused foreign females employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have complained that their employers have withheld their salaries and that government officials have been unresponsive to their grievances, due to investigative procedures that disadvantage the victim. Individuals known to be abusing foreign domestic servants are not always held accountable for their actions. In the past, several foreign women have had to ask their governments' embassies for shelter to escape abuse (see Section 5).

The law states that employers must not place their employees in situations involving dangerous work; however, the law does not specifically grant a worker the right to remove himself from dangerous work without jeopardy to his continued employment.

f. Trafficking in Persons.—The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, within, or through the country.

QATAR

Qatar, an Arab state on the Persian Gulf, is a monarchy with no constitution or political parties. Qatar is governed by the ruling Al-Thani family through its head, the Amir. The current Amir, Sheikh Hamad bin Khalifa Al-Thani, took power from his father in June 1995 with the support of leading branches of the Al-Thani family, and in consultation with other leading Qatari families. This transition of authority did not represent a change in the basic governing order. The Amir holds absolute power, the exercise of which is influenced by religious law, consultation with leading citizens, rule by consensus, and the right of any citizen to gain access to the Amir to appeal government decisions. The Amir generally legislates after consultation with leading citizens, an arrangement institutionalized in an appointed advisory council that assists the Amir in formulating policy. In 1999 the Amir convened a constitutional committee to draft a permanent constitution that would provide for parliamentary elections. The committee has met regularly and is projected to complete its recommendations by 2002. In March 1999, citizens were permitted to participate in the election of a national body, the Central Municipal Council, for the first time. The judiciary is nominally independent, but most judges hold their positions at the Government's pleasure.

The country has efficient police and security services. The civilian security force, controlled by the Interior Ministry, comprises two sections: The police and the General Administration of Public Security and the investigatory police (Mubahathat), which is responsible for sedition and espionage cases. The Interior Ministry has a special state security investigative unit (Mubahith) that performs internal security investigations and gathers intelligence. In addition, there is an independent civilian intelligence service (Mukhabarat). There were one or two allegations that members of the security forces tortured civilians in detention.

The State owns most basic industries and services, but the retail and construction industries are in private hands. Oil is the principal natural resource, but the country's extensive natural gas resources are playing an increasingly important role. Rapid development in the 1970's and 1980's created an economy in which foreign workers, mostly South Asian and Arab, outnumber citizens by a ratio of 4 or 5 to 1. The Government has embarked on a program of "Qatarization," which is aimed at reducing the number of foreign workers. Many government jobs are offered only to citizens and private sector businesses are encouraged to recruit citizens as well.

The Government generally respected its citizens' human rights in many areas, and there were improvements in freedom of expression; however, its record was poor in areas, such as citizens' right to change the Government. Citizens do not have the right to change their government. There were one or two allegations that members of the security forces tortured civilians in detention during the year. Arbitrary detention in security cases, and restrictions on the freedoms of speech, press, assembly, association, religion, and on workers' rights, continued to be problems. However, the Government continued to take some steps to ease restrictions on the practice of non-Muslim religions. Despite female suffrage, in practice women's rights are restricted by social customs. Domestic servants are mistreated and sometimes abused. Noncitizens, who make up the majority of the residents of the country, face discrimination in the workplace.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political or other extrajudicial killings.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Government officially proscribes torture; however, there were one or two reports of alleged torture. There were unconfirmed allegations in previous years that some of the defendants in the trial of the 1996 coup plotters (see Sections 1.d. and 1.e.)

had been tortured while in police custody; government officials have denied the allegations. The Government administers most corporal punishment prescribed by Islamic law but does not allow amputation.

Prison conditions generally meet minimum international standards.

The Government does not permit domestic human rights groups to exist, and no international human rights organization has asked to visit the country or its prisons.

d. Arbitrary Arrest, Detention, or Exile.—The law prohibits arbitrary arrest; however, the police have the discretion to arrest persons based on a low level of suspicion, and arbitrary detention in security cases remains a problem. The authorities generally charge suspects within 48 hours. Suspects generally are presented to the Attorney General within 24 hours of arrest. The Attorney General decides whether to hold the suspect up to a maximum of 4 days, after which time the suspect is presented before a judge, who may order the suspect released or remanded to custody to await trial. The accused is entitled to legal representation throughout this process. Suspects who are detained in security cases generally are afforded access to counsel; however, they may be detained indefinitely while under investigation. There were no known cases of incommunicado detention during the year.

In 1998 Ministry of Education official Abdulrahman Al-Nuaimi distributed a letter criticizing the Amir's decision to allow women to vote and run for office in the Municipal Council elections as well as other purportedly anti-Islamic actions. The Amir ordered the arrest of Abdulrahman Al-Nuaimi, and he remains in detention.

In September 33 of the persons arrested and tried for involvement in a February 1996 coup attempt, including Sheikh Hamad Bin Jassim Bin Hamad Al-Thani, who was named as the prime suspect in the coup bid, were found guilty and sentence to life in prison; 85 were acquitted. The 33 found guilty have appealed. Prosecutors had called for the death penalty for all those accused.

The Government has used forced exile on rare occasions. There were no reported cases this year.

e. Denial of Fair Public Trial.—The judiciary is nominally independent; however, most judges are foreign nationals who hold residence permits granted by the civil authorities, and thus hold their positions at the Government's pleasure. The number of citizen judges is increasing.

The judiciary deals with the bureaucracies of three ministries. Civil (or Adlea) courts are subordinate to the Ministry of Justice, and Shari'a (Islamic law) courts fall under the Ministry of Endowments and Islamic Affairs. The prosecutors fall under the Ministry of Interior.

There are two types of courts: The civil courts, which have jurisdiction in civil and commercial matters, and the Shari'a courts, which have jurisdiction in family and criminal cases. There are no permanent state security courts; however, although there have been no cases before these courts since the Amir assumed power, they have not been abolished formally by law and remain an option. Defendants tried by all courts have the right to appeal. The original case and the appeal in Shari'a courts are no longer heard by the same judge, and procedural loopholes that permitted this practice in the past are to be closed as part of a pending judicial reform package.

The legal system is biased in favor of citizens and the Government. A Muslim litigant may request the Shari'a courts to assume jurisdiction in commercial or civil cases. Non-Muslims are not allowed to bring suits as plaintiffs in the Shari'a courts; however, they may file suit in the civil courts. This practice prevents non-Muslim residents from obtaining full legal recourse. Trials in the civil courts are public, but in the Shari'a courts only the disputing parties, their relatives, associates, and witnesses are allowed in the courtroom. Lawyers do not play a formal role except to prepare litigants for their cases. Although non-Arabic speakers are provided with interpreters, foreigners are disadvantaged, especially in cases involving the performance of contracts. However, provided that the foreign defendant's sponsor or embassy agree, the defendant is entitled to legal representation throughout the trial and pretrial process.

Defendants appear before a judge for a preliminary hearing within 7 days of their arrest. Judges may extend pretrial detention for 1 week at a time to allow the authorities to conduct investigations. Lengthy pretrial detention is not known to occur. Defendants in the civil courts have the right to be represented by defense attorneys but are not always permitted to be represented by counsel in the Shari'a courts.

Shari'a trials usually are brief. Shari'a family law trials often are held without counsel. After both parties have stated their cases and examined witnesses, judges usually deliver a verdict after a short deliberation. Criminal cases normally are tried within 2 to 3 months after suspects are detained. Suspects are entitled to bail, except in some instances, such as in cases of violent crime. Bail may be provided

by citizens or noncitizens. Foreigners who are charged with minor crimes may be released to a citizen sponsor. They are prohibited from departing the country until the case is resolved.

After a public trial of persons arrested for involvement in the 1996 coup attempt, trial judges sentenced 33 defendants to life imprisonment. Nine of them were tried in absentia. Another 85 defendants were acquitted on all charges. A decision regarding the convicted defendants' appeal was pending at year's end. The trial was considered fair.

There are no known political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—Traditional attitudes of respect for the sanctity of the home and the privacy of women provide a great deal of protection against arbitrary intrusion for most citizens and residents. A warrant must be obtained before police may search a residence or business, except in cases involving national security or emergencies. Search warrants are issued by judicial authorities. There were no reports of unauthorized searches of homes during the year. The police and security forces are believed to monitor the telephone calls of suspected criminals, of those considered to be security risks, and of selected foreigners.

With prior permission, which is usually granted, citizens may marry foreigners of any nationality and apply for residence permits or citizenship for their spouses.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—Although the Government reduced restrictions on freedom of speech and of the press in 1996 and permitted a noticeable expansion of press freedom, some restrictions still remain. The Government lifted formal censorship of the media in 1995, and since then the press has been essentially free of government interference. However, journalists continue to practice self-censorship, due to real or perceived social and political pressures. Some journalists reportedly were subjected to pressure by the Government during the year after they published articles critical of the Government. Although explicit criticism of citizens' public or private affairs is not common, a number of such reports have been noted in local newspapers, especially Arabic-language newspapers. One Arabic-language newspaper even polled its readers to determine the most popular and least popular ministers. The Minister of Education was a frequent target of criticism; other criticism tended to be targeted at organizations rather than individuals.

There were no reports of instances of political censorship of foreign news media or broadcasts of foreign programs on local television over the past year. The Censorship Office in the Ministry of Information was abolished (together with the Ministry) in 1996. Pornography and expressions deemed hostile to Islam still are subject to censorship, and censors still work at broadcast media under the overall supervision of the Ministry of Religious Endowments.

Citizens enjoy broad freedom of speech but are restricted by the social and family restraints of a very traditional society. There is no apparent fear of government monitoring of private speech. However, the larger foreign population does not believe it enjoys the same freedoms and acts accordingly.

Television and radio are state owned, but the privately owned satellite television channel Al-Jazeera operates freely. During the year, radio and television call-in programs and talk shows criticized the Amir for meeting with the Israeli Prime Minister at the U.N. Millennium Summit in September, and the Government was criticized for allowing the Israeli Trade Office to remain open prior to the November Islamic Summit. Various government ministers are regularly criticized on a popular radio talk show.

A Ministry of Education official who wrote a letter in 1999 critical of the Amir's decision to allow women to vote and run for office in the Municipal Council elections remains in custody (see Section 1.d.).

Customs officials screen imported print media, videocassettes, and other such items for pornography, but have stopped blocking the importation of non-Muslim religious items (see Section 2.c.).

A growing number of citizens and residents have access to the Internet, which is provided through the state-owned telecommunications monopoly. Internet service is censored for pornographic content through a proxy server, which blocks those web sites containing certain key words and phrases. A user who believes that a site is censored mistakenly may submit the web address to the Internet service provider to have the site reviewed for suitability. The Government is responsive to such submissions.

There is no legal provision for academic freedom. Most instructors at the University of Qatar exercise self-censorship.

b. Freedom of Peaceful Assembly and Association.—The Government severely limits freedom of assembly. The Government generally does not allow political demonstrations; however, it permitted one peaceful demonstration of about 3,000 participants in October, under the aegis of the Central Municipal Council, that protested the Israeli Government's actions against Palestinians in Israel, the West Bank, and Gaza.

The Government severely limits freedom of association. The Government does not allow political parties or membership in international professional organizations critical of the Government or of any other Arab government. Private social, sports, trade, professional, and cultural societies must be registered with the Government. Security forces monitor the activities of such groups.

c. Freedom of Religion.—There is no constitutional protection for freedom of religion. The state religion is Islam, as interpreted by the conservative Wahhabi order of the Sunni branch. The Government officially prohibits public worship by non-Muslims; however, it tolerates and protects services conducted privately with prior notification to the authorities. The Government allows Shi'a Muslims to practice their faith freely; however, community leaders have agreed to refrain from certain public practices, such as self-flagellation.

The Government and ruling family are inextricably linked to the practice of Islam. The Ministry of Islamic Affairs controls the construction of mosques, the administration of clerical affairs, and instruction in the Koran. The Minister of Islamic Affairs is a member of the Amir's cabinet and participates in policymaking at the highest level. The only official government holidays aside from the independence day are the Eid Al-Fitr, following the holy month of Ramadan, and the Eid Al-Adha, which commemorates the end of the Hajj. The Amir participates in widely publicized "Eid prayers" and each year personally finances the Hajj pilgrimages of many who cannot afford to travel to Mecca.

During the year, the Catholic, Anglican, and Orthodox churches in effect received de facto official recognition. However, formal recognition apparently has not yet been granted. There reportedly is a verbal commitment by the Government to allow the churches to operate openly in a manner that apparently reflects de facto government recognition. For example, priests of the three churches have been asked to wear their clerical garb and may apply to be sponsors for visitor visas for other church representatives. In addition, church representatives may import reasonable amounts of Bibles and other religious literature for use by their congregations. In February the Government identified a parcel of land on which it plans to allow the construction of three churches, one each for the Catholic, Anglican, and Orthodox communities. Officials from the Ministry of Foreign Affairs and the Ministry of Municipal Affairs and Agriculture met with diplomats and representatives of the churches to discuss initial design plans. The Government recognizes and allows marriages between non-Muslims to be conducted by the Roman Catholic Church. Such progress for Christians is due, in large part, to their status as "people of the book" in that the Koran accords special status to Christians and Jews. The Government intends to permit Hindus and Buddhists neither to worship openly nor to establish temples because it claims that there is no Koranic justification for tolerance of polytheistic religions.

Non-Muslims may not proselytize, and conversion from Islam is theoretically a capital offense. However, there is no record of an execution for such a conversion since independence in 1971.

The Government formally prohibits the publication, importation, and distribution of Bibles and other non-Islamic religious literature. However, in practice individuals generally are not prevented from importing Bibles and other religious items for personal use. In previous years, there were sporadic reports of confiscation of such materials by customs officials. During the year, some Christian worship groups reported having no trouble importing instructional materials (i.e., Sunday school materials and devotionals) for use by the groups. Police provide traffic control for authorized Catholic masses, which may be attended by 1,000 or more persons at Easter and Christmas.

There are no restrictions on non-Muslims providing religious instruction to their children; however, the public schools provide compulsory instruction in Islam. The public schools generally are closed to foreigners, most of whose children attend private schools.

Practice of Islam confers advantage in civil life. For example, non-Muslims do not have the right to bring suit in the Shari'a (Islamic law) courts. These courts are utilized to settle the majority of civil claims; thus, non-Muslims are at a distinct disadvantage.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—There are no restrictions on internal travel, except around sensitive

military and oil installations. In general, women do not require permission from male guardians to travel. However, men may prevent female relatives from leaving the country by providing their names to immigration officers at ports of departure. Technically, women employed by the Government must obtain official permission to travel abroad when requesting leave, but it is not known to what extent this regulation is enforced. Citizens critical of the Government face restrictions on their right to travel abroad.

All citizens have the right to return. Foreigners are subject to immigration restrictions designed to control the size of the local labor pool. Foreign workers must have the permission of their sponsor (usually their employer) to enter and depart the country, but their dependents may leave the country without restriction. Foreign women who are married to citizens are granted residence permits and may apply for citizenship; however, they are expected to relinquish their foreign citizenship.

The Government has not formulated a formal policy regarding refugees, asylees, or first asylum. Those attempting to enter illegally, including persons seeking asylum from nearby countries, are refused entry. Asylum seekers who are able to obtain local sponsorship or employment are allowed to enter and may remain as long as they are employed.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or the political system peacefully. The political institutions combine the characteristics of a traditional Bedouin tribal state and a modern bureaucracy. Under the amended Provisional Constitution, the Amir must be chosen from and by the adult males of the Al-Thani family. There are no political parties or organized opposition groups. However, in 1999 citizens had the opportunity for the first time to choose officials for the Central Municipal Council in free and fair elections.

The Amir exercises most executive and legislative powers, including appointment of cabinet members. On March 8, 1999, citizens elected a 29-member Central Municipal Council. For the first time, men and women age 18 and older were permitted both to vote and to run as candidates. The Council is a nonpartisan body that addresses issues such as street repair, green space, trash collection, and public works projects. Its role is to advise the Minister of Municipalities and Agriculture. The Council cannot change policy on its own.

In November 1998, the Amir announced his intention to form a constitutional committee to draft a permanent constitution that would provide for democratic parliamentary elections. The constitutional committee was inaugurated in July 1999 and includes a number of government officials, academics, and prominent business leaders. In addition to subcommittees on the legislature, executive, and judiciary, it includes a subcommittee on human rights. The committee has met regularly and is projected to complete its recommendations by 2002. The Amir reiterated in his remarks to the committee members that he expects their efforts to lead to the establishment of an elected parliamentary body.

Women are underrepresented in government and politics. Women have the right to vote and run as candidates for the Central Municipal Council; none were elected to the Council in the 1999 elections.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not permit local human rights organizations to exist. No international human rights organizations are known to have asked to investigate conditions in the country. However, Amnesty International and foreign embassies were invited to send observers to sessions of the public trial of those accused in the 1996 coup attempt. Foreign observers attended the trial sessions held during the year.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law proscribes discrimination in the workplace; however, institutional, cultural, and legal discrimination based on gender, race, religion, social status, and disability exists.

Women.—According to the Family Development Center, the country's leading nongovernmental organization (NGO) on women's issues, violence against women is not widespread. Some foreign domestic servants, especially those from South Asia and the Philippines, have been mistreated by employers. In most cases, the mistreatment involves late or nonpayment of wages (see Section 6.c.), but also includes allegations of rape and physical abuse (see Section 6.e.). Foreign embassies provide shelter for maids who have left their employers as a result of abuse or disputes. Ac-

ording to Shari'a, all forms of physical abuse are illegal. The maximum penalty for rape is death. The police actively investigate reports of violence against women. In the last few years, the Government demonstrated an increased willingness to arrest and punish offenders, whether citizens or foreigners. Offenders who are citizens usually receive lighter punishments than do foreigners. Abused domestic workers usually do not press charges for fear of losing their jobs.

The legal system allows leniency for a man found guilty of committing a "crime of honor," a euphemism that refers to a violent assault against a woman for perceived immodesty or defiant behavior; however, such honor killings are rare. In 1999 a former minister and Gulf War hero, Ali Saeed Al-Khayareen, was accused of killing his two half-sisters for their alleged sexual misconduct. Al-Khayareen was held for a few months at the Al-Rayyan detention center, but eventually the women's family decided to accept monetary compensation, and he was released late in 1999.

The activities of women are restricted closely both by law and tradition. For example, a woman is prohibited from applying for a driver's license unless she has permission from a male guardian. This restriction does not apply to noncitizen women. The Government adheres to Shari'a as practiced in the country in matters of inheritance and child custody. Muslim wives have the right to inherit from their husbands. However, they inherit only one-half as much as male relatives. Non-Muslim wives inherit nothing, unless a special exception is arranged. In cases of divorce, Shari'a is followed; younger children remain with the mother and older children with the father. Both parents retain permanent rights of visitation. However, local authorities do not allow a noncitizen parent to take his or her child out of the country without permission of the citizen parent. Women may attend court proceedings but generally are represented by a male relative; however, women may represent themselves. According to Shari'a, the testimony of two women equals that of one man, but the courts routinely interpret this on a case-by-case basis.

Women largely are relegated to the roles of mother and homemaker, but some women are now finding jobs in education, medicine, and the news media. Women appear to receive equal pay for equal work; however, they often do not receive equal allowances. These allowances generally cover transportation and housing costs. Increasingly, women receive government scholarships to pursue degrees at universities overseas. The Amir has entrusted his second wife, who is the mother of the Heir Apparent, with the high-profile task of establishing a university in Doha. In 1996 the Government appointed its first female undersecretary, in the Ministry of Education, and in March a woman was appointed vice president of Qatar University. Although women legally are able to travel abroad alone (see Section 2.d.), tradition and social pressures cause most to travel with male escorts. There also have been complaints that citizen husbands take their foreign spouses' passports and, without prior approval, turn them in for Qatari citizenship documents. The husbands then inform their wives that the wives have lost their former citizenship. In other cases, foreign wives report being forbidden by their husbands or in-laws to visit or to contact foreign embassies.

There is no independent women's rights organization, nor has the Government permitted the establishment of one.

Children.—The Government demonstrates its commitment to children's rights through a well-funded, free public education system (elementary through university) and a complete medical protection program for the children of citizens. However, children of most foreigners are denied free education and have only limited medical coverage.

Very young children, usually of African or South Asian background, have been used as jockeys in camel races. Little information is available on wages and working conditions for these children (see Sections 6.c. and 6.d.).

There is no societal pattern of abuse of children.

People with Disabilities.—The Government has not enacted legislation or otherwise mandated provision of accessibility for the disabled, who also face social discrimination. The Government maintains a hospital and schools that provide high-quality, free services to the mentally and physically disabled.

Religious Minorities.—Shi'a Muslims fill many positions in the bureaucracy and are prominent in business. However, they experience discrimination in employment in some sensitive areas, such as security.

National/Racial/Ethnic Minorities.—The Government discriminates against some citizens of non-Qatari origin. In the private sector, many citizens of Iranian origin occupy some of the highest positions. However, they rarely are found in senior decisionmaking positions in government.

Section 6. Worker Rights

a. The Right of Association.—The right of association is limited strictly, and all workers, including foreigners, are prohibited from forming labor unions. Despite this restriction, almost all workers have the right to strike after their case has been presented to the Labor Conciliation Board and ruled upon. Employers may close a place of work or dismiss employees once the Conciliation Board has heard the case. The right to strike does not exist for government employees, domestic workers, or members of the employer's family. No worker in a public utility or health or security service may strike if such a strike would harm the public or lead to property damage. Strikes by expatriate workers are rare but do occur. The Conciliation Board is widely perceived to be objective, particularly with regard to the most common complaints of expatriate workers, the nonpayment of wages, and poor living conditions. The press reports work actions and grievances over these issues.

The Labor Law provides for the establishment of joint consultative committees composed of representatives of the employer and workers. The committees do not discuss wages but may consider issues such as organization and productivity, conditions of employment, training of workers, and safety measures and their implementation.

Since 1995 the country has been suspended from the U.S. Overseas Private Investment Corporation (OPIC) insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—Workers are prohibited from engaging in collective bargaining. In general wages are set unilaterally by employers without government involvement. Local courts handle disputes between workers and employers.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or compulsory labor. Three-quarters of the work force are foreign workers, who are dependent on a single employer for residency rights. This leaves them vulnerable to abuse. For instance, employers must give consent before exit permits are issued to any foreign employee seeking to leave the country. Some employers temporarily withhold this consent to force foreign employees to work for longer periods than they wish. Some unskilled workers and domestic servants are vulnerable to late payment of wages; it is government policy to assist laborers, usually through the Labor Board, under such circumstances. The Government prohibits forced and bonded labor by children and generally enforces this prohibition effectively; however, some very young children work as jockeys in camel races (see Sections 5 and 6.d., 6.e., and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—Minors between the ages of 15 and 18 may be employed with the approval of their parents or guardians and some children may work in small, family-owned businesses. However, child labor is rare. Education is compulsory for citizens through the age of 15. Very young children, usually of African or South Asian background, are used as jockeys in camel races (see Sections 5, 6.c., and 6.f.). Little information is available on wages and working conditions for these children. The Government prohibits forced and bonded labor by children and generally enforces this prohibition effectively with respect to citizen children (see Section 6.c.).

Minors may not work more than 6 hours a day or more than 36 hours a week. Employers must provide the Ministry of Labor with the names and occupations of their minor employees. The Ministry may prohibit the employment of minors in jobs that are judged dangerous to the health, safety, or morals of minors. Employers also must obtain permission from the Ministry of Education to hire a minor.

e. Acceptable Conditions of Work.—There is no minimum wage, although a 1962 law gives the Amir authority to set one. The average wage provides a decent standard of living for workers and their families. The law prescribes a 48-hour workweek with a 24-hour rest period, although most government offices follow a 36-hours-per-week work schedule. Employees who work more than 48 hours per week, or 36 hours per week during the Muslim month of Ramadan, are entitled to overtime pay. This law is adhered to in government offices and major private sector companies. It is not observed with respect to domestic and personal employees. Domestic servants frequently work 7 days per week, and more than 12 hours per day with few or no holidays, and have no effective way to redress grievances against their employers.

The Government has enacted regulations concerning worker safety and health, but enforcement, which is the responsibility of the Ministry of Energy and Industry, is lax. The Department of Public Safety oversees safety training and conditions, and the state-run petroleum company has its own set of safety standards and procedures. The Labor Law of 1964, as amended in 1984, lists partial and permanent dis-

abilities for which compensation may be awarded, some connected with handling chemicals and petroleum products or construction injuries. The law does not specifically set rates of payment and compensation. Laborers who suffer work-related sickness or injuries receive free medical treatment provided by the Government.

Foreign workers may enter the country on a visitors visa and then convert this visa to a work visa once in the country. A sponsor is need to convert a visitor's visa to a work visa, and the worker must have their sponsor's permission to depart the country. Any worker may seek legal relief from onerous work conditions, but domestic servants generally accept their situations in order to avoid repatriation. The Government also penalizes citizen employers who violate residence and sponsorship laws. Some foreign domestic servants have been mistreated by their employers. Such mistreatment normally involves the nonpayment or late payment of wages but also may involve rape and physical abuse (see Section 5). It is not known if workers have the right to remove themselves from hazardous work conditions without fear of dismissal.

f. Trafficking in Persons.—The law prohibits trafficking in persons.

On January 19, the Government arrested and repatriated several women from the former Soviet Union who were transported to the country to work as prostitutes.

Very young children, usually of African or South Asian background, have been used as jockeys in camel races (see Sections 5 and 6.d.).

SAUDI ARABIA

Saudi Arabia is a monarchy without elected representative institutions or political parties. It is ruled by King Fahd Bin Abd Al-Aziz Al Saud, a son of King Abd Al-Aziz Al Saud, who unified the country in the early 20th century. Since the death of King Abd Al-Aziz, the King and Crown Prince have been chosen from among his sons, who themselves have had preponderant influence in the choice. A 1992 royal decree reserves for the King exclusive power to name the Crown Prince. Crown Prince Abdullah has played an increasing role in governance since King Fahd suffered a stroke in 1995. The Government has declared the Islamic holy book the Koran, and the Sunna (tradition) of the Prophet Muhammad, to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of a rigorously conservative form of Islam. Neither the Government nor society in general accepts the concept of separation of religion and state. The Government prohibits the establishment of political parties and suppresses opposition views. In 1992 King Fahd appointed a Consultative Council, or Majlis Ash-Shura, and similar provincial assemblies. The Majlis, a strictly advisory body, began holding sessions in 1993 and was expanded in 1997. The judiciary is generally independent but is subject to influence by the executive branch and members of the royal family.

Police and border forces under the Ministry of Interior are responsible for internal security. The Mutawwa'in, or religious police, constitute the Committee to Prevent Vice and Promote Virtue, a semiautonomous agency that enforces adherence to Islamic norms by monitoring public behavior. The Government maintains general control of the security forces. However, members of the security forces committed human rights abuses.

The oil industry has fueled the transformation of Saudi Arabia from a pastoral, agricultural, and commercial society to a rapidly urbanizing one, characterized by large-scale infrastructure projects, an extensive social welfare system, and a labor market comprised largely of foreign workers. Oil revenues account for around 55 percent of the gross domestic product (GDP) and 80 percent of government income. Agriculture accounts for only about 6 percent of GDP. Government spending, including spending on the national airline, power, water, telephone, education, and health services, accounts for 24 percent of GDP. About 40 percent of the economy is nominally private, and the Government is promoting further privatization of the economy. In 1995 the Government began an aggressive campaign to increase the number of Saudi nationals represented in the public and private work forces. The campaign has restricted employment of some categories of foreign workers by limiting certain occupations to Saudis only, increasing fees for some types of work visas, and setting minimum wages for some job categories in order to increase the cost to employers of non-Saudi labor. In August 1998, the Government announced that citizens had to constitute at least 5 percent of the work force in private sector companies by October 1998, an amount that, according to a 1995 ministerial decree, should be 15 percent. Despite a crackdown on illegal workers and the citizens who employ or

house them, the program has continued to fall short of its goal of increasing the Saudi percentage of the work force by 5 percent each year.

The Government's human rights record remained generally poor in a number of areas; however, its record showed limited improvement in some areas. Citizens have neither the right nor the legal means to change their government. Security forces continued to abuse detainees and prisoners, arbitrarily arrest and detain persons, and facilitate incommunicado detention; in addition there were allegations that security forces committed torture. Prolonged detention without charge is a problem. Security forces committed such abuses, in contradiction to the law, but with the acquiescence of the Government. Mutawwa'in (religious police, who constitute the Committee to Promote Virtue and Prevent Vice) continued to intimidate, abuse, and detain citizens and foreigners. The Government infringes on citizens' privacy rights. The Government prohibits or restricts freedom of speech, the press, assembly, association, religion, and movement. However, during the year the Government tolerated a wider range of debate and criticism in the press concerning domestic issues. Other continuing problems included discrimination and violence against women, discrimination against ethnic and religious minorities, and strict limitations on worker rights. The Government views its interpretation of Islamic law as its sole source of guidance on human rights and disagrees with internationally accepted definitions of human rights. However, during the year, the Government initiated limited measures to participate in international human rights mechanisms. For example, it invited to the country the U.N. Special Rapporteur on the Independence of Judges and Lawyers and acceded to (with reservations) the U.N. Convention on the Elimination of All Forms of Discrimination Against Women.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no confirmed reports of political killings.

In November 1998, several Mutawwa'in attacked and killed an elderly Shi'a prayer leader in Hofuf for repeating the call to prayer twice (a traditional Shi'a practice). Attempts by Mutawwa'in to cover up the killing were unsuccessful. After investigating the incident, the Government stated that medical reports indicated that the man's death resulted from a drop in his blood pressure because of old age. The Government stated that the death was not a criminal incident.

The investigation of the 1996 Al-Khobar bombing, which killed 19 U.S. servicemen, continued. The Government has not yet issued a report of its findings.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—There were credible reports that the authorities abused detainees, both citizens and foreigners. Ministry of Interior officials are responsible for most incidents of abuse, including beatings and sleep deprivation. In addition, there were allegations of torture. Although the Government has ratified the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, it has refused to recognize the authority of the Committee Against Torture to investigate alleged abuses. In 1998 the Government pledged to cooperate with U.N. human rights mechanisms, and it announced in April the establishment of a committee to investigate allegations of torture pursuant to its obligations under the convention (see Section 4). However, although the Government asks for details of reports of torture and other human rights abuses made by international human rights groups, it does not permit international observers to investigate such reports. The Government's general refusal to grant members of diplomatic missions access to the Ministry of Interior detention facilities, or allow members of international human rights groups into the country, hinders efforts to confirm or discount reports of abuses. The Government's past failure to criticize human rights abuses has contributed to the public perception that security forces may commit abuses with impunity.

The Mutawwa'in continued to intimidate, abuse, and detain citizens and foreigners of both sexes (see Sections 1.d., 1.f., and 2.c.).

The Government punishes criminals according to its interpretation of Shari'a (Islamic law). Punishments include flogging, amputation, and execution by beheading, stoning, or firing squad. The authorities acknowledged 120 executions during the year, an increase from 100 in 1999. Executions included 62 persons convicted of murder, 21 convicted of narcotics-related offenses, 22 convicted of rape, and 10 convicted of armed robbery. The executions also included two women for murder and three for drug trafficking. The men were executed by beheading and the women were executed by firing squad. The government of Nigeria criticized Saudi Arabia for the execution of seven Nigerians convicted of bank robbery. In accordance with

Shari'a, the authorities may punish repeated thievery by amputation of the right hand. There were 27 reports of amputations, including 7 reports of multiple amputations (right hand, left leg) for the crime of highway robbery during the year. Persons convicted of less serious offenses, such as alcohol-related offenses or being alone in the company of an unrelated person of the opposite sex, sometimes were punished by flogging with a cane.

On April 16, the Associated Press reported that 5 persons had been sentenced to 2,600 lashes and 6 years in prison, and 4 persons to 2,400 lashes and 5 years' imprisonment, for "deviant sexual behavior." Amnesty International reported in July that six men were executed on charges of deviant sexual behavior, some of which were related to their sexual orientation. Amnesty International was uncertain whether the six men who were executed were among the nine who were sentenced to flogging and imprisonment in April.

During the year, a court ordered that the eye of an Egyptian man be removed as punishment for an attack 6 years ago in which he was convicted of throwing acid on another Egyptian man. The victim, who lost his eye in the attack and suffered other disfigurement, had urged the court to implement Al-Qisas, the Shari'a provision stipulating that the punishment be commensurate with the crime. Press accounts stated that the convicted man's eye was removed at a hospital in August.

Prison and jail conditions vary throughout the Kingdom. Prisons generally meet internationally accepted standards and provide air-conditioned cells, good nutrition, regular exercise, and careful patrolling by prison guards. However, some police station jails are overcrowded and unsanitary. Authorities generally allowed family members access to detainees.

Boards of Investigation and Public Prosecution, organized on a regional basis, were established by King Fahd in 1993. The members of these boards have the right to inspect prisons, review prisoners' files, and hear their complaints. However, the Government does not permit human rights monitors to visit prisons or jails. The Government does not allow impartial observers of any type access to specialized Ministry of Interior prisons, where it detains persons accused of political subversion.

Representatives of the United Nations High Commissioner for Refugees (UNHCR) are present at the Rafha refugee camp, which houses former Iraqi prisoners of war and civilians who fled Iraq following the Gulf War. According to UNHCR officials, there was no systematic abuse of refugees by camp guards. When isolated instances of abuse have surfaced in the past, the authorities have been responsive and willing to investigate allegations and reprimand offending guards. The camp receives a high level of material assistance and is generally comfortable and well-run. However, the Government generally confines refugees to the camp, except in the event of approved emigration.

d. Arbitrary Arrest, Detention, or Exile.—The law prohibits arbitrary arrest; however, some officers make arrests and detain persons without following explicit legal guidelines. There are few procedures to safeguard against abuse, although the Government claims that it punishes individual officers who violate regulations. There have been few publicized cases of citizens successfully obtaining judicial redress for abuse of the Government's power of arrest and detention.

In accordance with a 1983 Ministry of Interior regulation, authorities usually detain suspects for no longer than 3 days before charging them. However, serious exceptions have been reported. The regulation also has provisions for bail for less serious crimes. Also, authorities sometimes release detainees on the recognizance of a patron or sponsoring employer without the payment of bail. If they are not released, authorities typically detain accused persons for an average of 2 months before sending the case to trial or, in the case of some foreigners, summarily deporting them. There is no established procedure providing detainees the right to inform their family of their arrest.

The Mutawwa'in have the authority to detain persons for no more than 24 hours for violations of the strict standards of proper dress and behavior. However, they sometimes exceeded this limit before delivering detainees to the police (see Section 1.f.). Current procedures require a police officer to accompany the Mutawwa'in at the time of an arrest. Mutawwa'in generally complied with this requirement. During the year, in the more conservative Riyadh district, the number of reports received of Mutawwa'in accosting, abusing, arresting, and detaining persons alleged to have violated dress and behavior standards was comparable to 1999. The Jeddah district also received a similar number of reports as in the previous year.

In January the Government arrested 16 Filipino Christians during a raid on a prayer service. Government officials maintained that the religious service was attended by such a large number of persons that it could not be considered private. All of the detainees subsequently were released and deported to the Philippines (see Section 2.c.). According to Amnesty International, Hashim Al-Sayyid Al-Sada, a

Shi'a cleric suspected of political or religious dissent, was arrested in his home in April and reportedly has been held incommunicado since then (see Section 2.c.). In June the Government arrested an Indian Christian for possession of a videotape of a religious event. He was released after spending 2 months in jail and was deported to India (see Section 2.c.). On November 30, the police detained five Christian worshippers for about an hour for questioning regarding their activities (see Section 2.c.). In December the authorities raided a worship service and arrested six Filipino citizens; three remained in custody at year's end (see Section 2.c.).

Political detainees who are arrested by the General Directorate of Investigation (GDI), the Ministry of Interior's security service, commonly are held incommunicado in special prisons during the initial phase of an investigation, which may last weeks or months. The GDI allows the detainees only limited contact with their families or lawyers.

The authorities may detain without charge persons who publicly criticize the Government or may charge them with attempting to destabilize the Government (see Sections 2.a. and 3). In January the Government announced that it had released, under its annual Ramadan amnesty, 4,637 prisoners and detainees, including 1,807 foreigners. It is unclear whether there were any political detainees or prisoners among those released.

There is no reliable information about the total number of political detainees.

Since beginning the investigation of the 1996 bombing of a U.S. military facility in Saudi Arabia, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims suspected of fundamentalist tendencies or Iranian sympathies. The Government reportedly still holds in jail an unknown number of Shi'a arrested in the aftermath of the bombing. Government security forces reportedly arrest Shi'a on the smallest suspicion, hold them in custody for lengthy periods, and then release them without explanation (see Section 2.c.).

The Government did not use forced exile, and there were no reports that it revoked citizenship for political purposes during the year. However, it previously has revoked the citizenship of opponents of the Government who reside outside the country (see Section 3).

e. Denial of Fair Public Trial.—The independence of the judiciary is prescribed by law and usually is respected in practice; however, judges occasionally accede to the influence of the executive branch, particularly members of the royal family and their associates, who are not required to appear before the courts. Moreover, the Ministry of Justice exercises judicial, financial, and administrative control of the courts.

The legal system is based on Shari'a. Shari'a courts exercise jurisdiction over common criminal cases and civil suits regarding marriage, divorce, child custody, and inheritance. These courts base judgments largely on a code derived from the Koran and the Sunna, another Islamic text. Cases involving relatively small penalties are tried in Shari'a summary courts; more serious crimes are adjudicated in Shari'a courts of common pleas. Appeals from Shari'a courts are made to the courts of appeal.

Other civil proceedings, including those involving claims against the Government and enforcement of foreign judgments, are held before specialized administrative tribunals, such as the Commission for the Settlement of Labor Disputes and the Board of Grievances.

The Government permits Shi'a Muslims to use their own legal tradition to adjudicate noncriminal cases within their community.

The military justice system has jurisdiction over uniformed personnel and civil servants who are charged with violations of military regulations. The Minister of Defense and Aviation and the King review the decisions of courts-martial.

The Supreme Judicial Council is not a court and may not reverse decisions made by a court of appeals. However, the Council may review lower court decisions and refer them back to the lower court for reconsideration. Only the Supreme Judicial Council may discipline or remove a judge. The King appoints the members of the Council.

The Council of Senior Religious Scholars is an autonomous body of 20 senior religious jurists, including the Minister of Justice. It establishes the legal principles to guide lower-court judges in deciding cases.

The law grants defendants the right to a lawyer and translator; however, defendants usually appear without an attorney before a judge, who determines guilt or innocence in accordance with Shari'a standards. The courts generally do not provide foreign defendants with translators. Defense lawyers may offer their clients advice before trial or may attend the trial as interpreters for those unfamiliar with Arabic. Public defenders are not provided. Individuals may choose any person to represent

them by a power of attorney filed with the court and the Ministry of Justice. Most trials are closed.

A woman's testimony does not carry the same weight as that of a man. In a Shari'a court, the testimony of one man equals that of two women. In the absence of two witnesses, or four witnesses in the case of adultery, confessions before a judge almost always are required for criminal conviction—a situation that repeatedly has led prosecuting authorities to coerce confessions from suspects by threats and abuse. Female parties to court proceedings such as divorce and family law cases generally must deputize male relatives to speak on their behalf.

Sentencing is not uniform. Laws and regulations state that defendants should be treated equally; however, foreign residents sometimes receive harsher penalties than citizens. Under Shari'a as interpreted and applied in Saudi Arabia, crimes against Muslims receive harsher penalties than those against non-Muslims. In the case of wrongful death, the amount of indemnity or "blood money" awarded to relatives varies with the nationality, religion, age, and sex of the victim. A sentence may be changed at any stage of review, except for punishments stipulated by the Koran.

Provincial governors have the authority to exercise leniency and reduce a judge's sentence. In general members of the royal family and other powerful families are not subject to the same rule of law as ordinary citizens (see Sections 1.a. and 3). For example, judges do not have the power to issue a warrant summoning any member of the royal family.

The King and his advisors review cases involving capital punishment. The King has the authority to commute death sentences and grant pardons, except for capital crimes committed against individuals. In such cases, he may request the victim's next of kin to pardon the murderer—usually in return for compensation from the family or the King.

There is insufficient information to determine the number of political prisoners. The Government does not provide information on political prisoners or respond to inquiries about them. It does not allow access to political prisoners by international humanitarian organizations. Moreover, the Government conducts closed trials for persons who may be political prisoners and in other cases has detained persons incommunicado for long periods while they are under investigation. Amnesty International estimates the number of political prisoners to be between 100 and 200.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence.—The Government infringes on these rights. The sanctity of family life and the inviolability of the home are among the most fundamental of Islamic precepts. Royal decrees announced in 1992 include provisions calling for the Government to defend the home from unlawful intrusions, while laws and regulations prohibit officials from intercepting mail and electronic communication except when necessary during criminal investigations. Nonetheless, there are few procedural safeguards against government interference with one's privacy, family, home, or correspondence.

The police generally must demonstrate reasonable cause and obtain permission from the provincial governor before searching a private home; however, warrants are not required.

Customs officials routinely open mail and shipments to search for contraband, including material deemed pornographic and non-Muslim religious material. Customs officials confiscated or censored materials considered offensive, including Christian Bibles and religious videotapes (see Section 2.c.). The authorities also open mail and use informants and wiretaps in internal security and criminal matters. Security forces used wiretaps against foreigners suspected of alcohol-related offenses. Informants (known as "mukhbir") and ward bosses (known as "umdas") report "seditious ideas" or antigovernment activity in their neighborhoods to the Ministry of the Interior.

The Government enforces most social and Islamic religious norms, which are matters of law (see Section 5). Women may not marry noncitizens without government permission; men must obtain approval from the Ministry of Interior to marry women from countries outside the six states of the Gulf Cooperation Council. In accordance with Shari'a, women are prohibited from marrying non-Muslims; men may marry Christians and Jews, as well as Muslims.

Mutawwa'in practices and incidents of abuse varied widely in different regions of the country but were most numerous in the central Nejd region. In certain areas, both the Mutawwa'in and religious vigilantes acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners (see Section 1.d.). The Government requires the Mutawwa'in to follow established procedures and to offer instruction in a polite manner; however, Mutawwa'in did not always comply with the requirements. The Government has not criticized publicly abuses by Mutawwa'in and religious vigilantes but has sought to curtail such abuses.

Mutawwa'in enforcement of strict standards of social behavior included the closing of commercial establishments during the five daily prayer observances, insisting upon compliance with strict norms of public dress, and dispersing gatherings of women in public places. Mutawwa'in frequently reproached citizen and foreign women for failure to observe strict dress codes, and arrested men and women found together who were not married or closely related.

Some professors believe that informers monitor comments made in university classrooms (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Government severely limits freedom of speech and the press. However, the authorities allow the press some freedom to criticize governmental bodies and social policies through editorial comments and cartoons.

The authorities do not permit criticism of Islam or the royal family, and criticism of the Government is limited. However, during the year the authorities tolerated increasing criticism of governmental bodies and social policies in editorial comments and cartoons. For example, some newspapers published criticism of specific cabinet ministries and ministers for their handling of a disease outbreak, while another published a column criticizing the Minister of Finance for lack of transparency in the Government's spending of oil revenues. One newspaper published a column in support of allowing women to drive by disputing the arguments of a member of the Council of Senior Islamic Scholars who opposes such actions. The press also carried an extensive discussion on human rights following the publication of an Amnesty International report critical of government human rights practices. While nearly all media reports concurred with the Government's dismissive response to the Amnesty International report, one editorial that circulated widely called on regional governments to listen to criticism and review their human rights practices (see Section 4). Persons whose criticisms align them with an organized political opposition are subject to arrest and detention until they confess to a crime or sign a statement promising not to resume such criticisms, which is tantamount to a confession. Writer Zuheir Kutbi claims that he has been imprisoned six times for his writings. Due to his imprisonment, Kutbi has been deprived of employment and his passport, and lives under government surveillance.

The print media are privately owned but publicly subsidized. A 1982 media policy statement and a 1965 national security law prohibit the dissemination of criticism of the Government. The media policy statement urges journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve the cultural heritage of the country. The Ministry of Information appoints, and may remove, the editors in chief. It also provides guidelines to newspapers on controversial issues. The Government owns the Saudi Press Agency (SPA), which expresses official government views.

In November the Government approved a wide-ranging new press law that would permit the creation of professional journalism societies and permit the publication of foreign newspapers in the Kingdom. The new law states that local publications will be subject to censorship only in emergencies and pledges to protect free expression of opinion; however, the law obliges authorities to censor foreign publications that defame Islam and harm the interests of the state or the "ethics of the people." It is not yet clear whether the implementation of the new law will change current practices regarding freedom of expression.

Newspapers typically publish news on sensitive subjects, such as crime or terrorism, only after it has been released by the SPA or when it has been authorized by a senior government official. Two Saudi-owned, London-based dailies, Ash-Sharq Al-Awsat and Al-Hayat, are widely distributed and read in the country. Both newspapers tend to practice self-censorship in order to comply with government restrictions on sensitive issues. The authorities continue to censor stories about the country in the foreign press. Censors may remove or blacken the offending articles, glue pages together, or prevent certain issues of foreign publications from entering the market. However, the Ministry of Information continued to relax its blackout policy regarding politically sensitive news concerning the country reported in the international media, although press restrictions on reporting of domestic news remain very stringent. The Government's policy in this regard appears to be motivated in part by pragmatic considerations: Saudi access to outside sources of information, such as Arabic and Western satellite television channels and the Internet, is increasingly widespread.

In February Information Minister Fuad Al-Farsi imposed a ban of 1 week on the daily sports newspaper Ar-Reyadi because of a column by a popular sports journalist, Prince Abdulrahman bin Saud, that attacked another sports journalist. The ban was lifted after 2 days.

The editors of two Yemeni newspapers, Al-Wahdawi and Al-Ihya Al-Arabi, claimed that actions taken against the newspapers by the Yemeni Ministry of Information, including filing a lawsuit, detaining a journalist, and suspending publication of one of the newspapers, were a direct result of pressure applied by the Saudi Government after the newspapers had published articles critical of Saudi Arabia.

In December a newspaper reported that while one of its reporters was investigating a story about the illegal slaughtering of animals by a restaurant, local police arrested, fingerprinted, interrogated, and then released the reporter. In a front-page commentary, the newspaper stated that local police were protecting the restaurant's owners.

The Government tightly restricts the entry of foreign journalists into the Kingdom.

The Government owns and operates the country's television and radio companies. Government censors remove any reference to politics, religions other than Islam, pork or pigs, alcohol, and sex from foreign programs and songs. There are well over 1 million satellite receiving dishes in the country, which provide citizens with foreign broadcasts. The legal status of these devices is ambiguous. The Government ordered a halt to their importation in 1992 at the request of religious leaders who objected to foreign programming being made available on satellite channels. In 1994 the Government banned the sale, installation, and maintenance of dishes and supporting devices; however, the number of dishes continues to increase, and residents legally may subscribe to satellite decoding services that require a dish.

In December the Council of Senior Islamic Scholars ruled that watching the popular Ramadan television series "Tash Ma Tash" was contrary to proper Islamic conduct. The program, which was broadcast on a government channel, mildly parodied bureaucratic delays and social problems. The Government did not publicize the Council's ruling nor did it stop airing the program.

The Government bans all books, magazines, and other materials that it considers sexual or pornographic in nature. The Ministry of Information compiles and updates a list of publications that are prohibited from being sold in the country.

Access to the Internet is available legally only through Saudi servers, which are monitored heavily by the Government. Some citizens attempt to circumvent this control by accessing the Internet through servers in other countries. The Government attempts to block all web sites that it deems sexual, pornographic, politically offensive, or "unIslamic." However, such web sites are accessible from within the country. According to Human Rights Watch, in April the Government closed a women-only Internet cafe in Mecca after a court complaint that the cafe was being used for "immoral purposes."

The Government censors all forms of public artistic expression and prohibits cinemas and public musical or theatrical performances, except those that are considered folkloric.

Academic freedom is restricted. The authorities prohibit the study of evolution, Freud, Marx, Western music, and Western philosophy. Some professors believe that informers monitor their classroom comments and report to government and religious authorities.

b. Freedom of Peaceful Assembly and Association.—The Government strictly limits freedom of assembly. It prohibits public demonstrations as a means of political expression. Public meetings are segregated by sex. Unless meetings are sponsored by diplomatic missions or approved by the appropriate governor, foreign residents who seek to hold unsegregated meetings risk arrest and deportation. The authorities monitor any large gathering of persons, especially of women. The Mutawwa'in dispersed groups of women found in public places, such as restaurants. Government policy permits women to attend cultural and social events at diplomatic chanceries and residences only if they are accompanied by a father, brother, or husband. However, in practice police often implement the policy in an arbitrary manner. On many occasions during the year, authorities actively prohibited women from entering diplomatic chanceries or residences to attend cultural events and lectures. However, for several years authorities have allowed unescorted Saudi women to attend women-only cultural events hosted at a diplomatic mission.

In October citizens took part in a number of illegal demonstrations protesting the Israeli Government's actions against Palestinians in Israel, the West Bank, and Gaza in the fall. According to media accounts, the authorities did not interfere with two demonstrations conducted by women at universities and another outside a mosque; however, the authorities dispersed several other small, apparently spontaneous public demonstrations against Israel in Riyadh, AlJawf province, and elsewhere.

The Government strictly limits freedom of association. It prohibits the establishment of political parties or any type of opposition group (see Section 3). By its power

to license associations, the Government ensures that groups conform to public policy. The Government licenses a large number of humanitarian organizations and tribal and professional societies, such as the Saudi Chemists Society and the Saudi Pharmacists Society. The Government claims that such groups operate without government interference because they are not detrimental to public security.

c. Freedom of Religion.—Freedom of religion does not exist. Islam is the official religion and all citizens must be Muslims. The Government prohibits the public practice of other religions. Private worship by non-Muslims generally is permitted.

Saudi Arabia is an Islamic monarchy and the Government has declared the Islamic holy book, the Koran, and the Sunna (tradition) of the Prophet Muhammad, to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of the rigorously conservative and strict interpretation of the Hanbali school of the Sunni branch of Islam and discriminates against other branches of Islam. Neither the Government nor society in general accepts the concepts of separation of religion and state, and such separation does not exist.

Islamic practice generally is limited to that of the Wahabi order, which adheres to the Hanbali school of the Sunni branch of Islam as interpreted by Muhammad Ibn Abd Al-Wahab, an 18th century Arabian religious reformer. Practices contrary to this interpretation, such as visits to the tombs of renowned Muslims, are discouraged. The practice of other schools of Sunni Islam is discouraged, and there is institutionalized discrimination against adherents of the Shi'a branch of Islam. The Government supervises almost all mosques in the country and funds their construction, maintenance, and operations.

The Ministry of Islamic affairs directly supervises, and is a major source of funds for, the construction and maintenance of almost all mosques in the country. The Ministry pays the salaries of imams (prayer leaders) and others who work in the mosques. A governmental committee is responsible for defining the qualifications of imams. The Mutawwa'in are government employees, and the president of the Mutawwa'in holds the rank of cabinet minister. The spreading of Muslim teachings not in conformance with the officially accepted interpretation of Islam is prohibited. Writers and other individuals who publicly criticize this interpretation, including both those who advocate a stricter interpretation and those who favor a more moderate interpretation than the Government's, reportedly have been imprisoned and faced other reprisals.

The Shi'a Muslim minority (roughly 900,000 persons) lives mostly in the eastern province, in which Shi'a constitute about one-third of the population. Members of the Shi'a minority are the objects of officially sanctioned political and economic discrimination. Prior to 1990, the Government prohibited Shi'a public processions during the Islamic month of Muharram and restricted other processions and congregations to designated areas in the major Shi'a cities. Since 1990 the authorities have permitted the celebration of the Shi'a holiday of Ashura in the eastern province city of Qatif, provided that the celebrants do not undertake large, public marches or engage in self-flagellation (a traditional Shi'a practice). The celebrations are monitored heavily by the police. No other Ashura celebrations are permitted in the Kingdom, and many Shi'a travel to Qatif or to Bahrain to participate in Ashura celebrations.

Early in the year, a Shi'a sheikh was taken into custody, and three other sheikhs were arrested for unknown reasons near the border with Jordan. Human Rights Watch reported that at least seven additional Shi'a religious leaders reportedly remained in detention for violating restrictions on Shi'a religious practices.

According to Amnesty International, Hashim Al-Sayyid Al-Sada, a Shi'a cleric suspected of political or religious dissent, was arrested in his home in April and reportedly has been held incommunicado since then (see Section 1.d.).

The Government seldom permits private construction of Shi'a mosques. Shi'a have declined government offers to build statesupported mosques because the Government would prohibit the incorporation and display of Shi'a motifs in any such mosques. The Government actively discourages Shi'a travel to Iran to visit pilgrimage sites, although Shi'a citizens are permitted to visit holy sites in Iraq.

Since the 1979 Iranian revolution, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a suspected of subversion (see Sections 1.d. and 2.d.). The Government reportedly still holds in jail an unknown number of Shi'a who were arrested in the aftermath of the Al-Khobar bombing. Government security forces reportedly arrest Shi'a on the smallest suspicion, hold them in custody for lengthy periods, and then release them without explanation (see Section 1.d.).

In April in the city of Najran, in the southwest region bordering Yemen, rioting by members of the Makarama Ismaili Shi'a eventually led to an attack by an armed group of Shi'a on a hotel that contained an office of the regional governor. Security forces responded, leading to extended gun battles between the two sides. Some press

reports indicated that the rioting followed the arrest of a Makarama Ismaili Shi'a imam and some of his followers on charges of "sorcery." Various other reports attributed the unrest to the closure of two Ismaili Shi'a mosques and the provincial governor's refusal to permit Ismailis to hold public observances of the Shi'a holiday of Ashura. Still other reports attributed the unrest to a local crackdown on smuggling and resultant tribal discontent. Officials at the highest level of the Government stated that the unrest in Najran was not the result of Shi'a-Sunni tension or religious discrimination. After the unrest ended the Government stated that 5 members of the security forces were killed, and Ismaili leaders claimed that as many as 40 Ismaili tribesmen were killed. There was no independent confirmation of these claims.

Magic is widely believed in and sometimes practiced, often in the form of fortune-telling and swindles. However, under Shari'a the practice of magic is regarded as the worst form of polytheism, an offense for which no repentance is accepted, and which is punishable by death. There are an unknown number of detainees held in prison on the charge of "sorcery," or the practice of "black magic" or "witchcraft." In a few cases, self-proclaimed "miracle workers" have been executed for sorcery involving physical harm or apostasy. In 1999 the Al-Bilad newspaper reported that the Interior Ministry ordered the execution of a Sudanese man convicted of practicing magic in Jeddah for 3^o years. The man claimed to be an herbal medicine expert and had treated a number of women with tonics and potions; he reportedly possessed 16 spell books and related paraphernalia. The man reportedly confessed to conspiring with Jinns (beings made of fire that coexist with humans) in "efforts to separate wives from their husbands."

During the year, foreign imams were barred from leading worship during the most heavily attended prayer times and prohibited from delivering sermons during Friday congregational prayers. The Government claims that its actions were part of its "Saudiization" plan to replace foreign workers with citizens.

Under Shari'a conversion by a Muslim to another religion is considered apostasy. Public apostasy is a crime punishable by death if the accused does not recant.

The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, lashing, and deportation for engaging in overt religious activity that attracts official attention.

During the year, senior officials in the Government publicly reaffirmed the right of non-Muslims to engage in private religious worship. In an address to the 56th session of the U.N. Committee on Human Rights in April, Prince Turki bin Muhammad bin Saud Al-Kabir, Director of the International Organizations Department of the Ministry of Foreign Affairs, stated that "non-Muslims enjoy full freedom to engage in their religious observances in private" (see Section 4). The media widely disseminated Prince Turki's speech and the media increasingly acknowledges the right to private non-Muslim worship. Such private non-Muslim worship occurs on a wide scale throughout the country, including on the premises of several foreign embassies.

Other high-level officials have confirmed that the Government does not sanction investigation or harassment of such private worship services. These officials ascribe any residual harassment of private worship services or seizure of personal religious materials such as Bibles or icons to individuals and organizations acting on their own authority and in contradiction of government policy. Representatives of Christian denominations present in the country report that the Government is not interfering with private worship services as long as those services remain discreet.

However, in January the Government arrested 16 Filipino Christians during a raid on a prayer service. Government officials maintained that the religious service was attended by such a large number of persons that it could not be considered private. After 6 weeks of detention, all of the detainees were released and deported to the Philippines. On November 30, religious police broke up a worship service of about 60 Christians. Police seized Bibles, musical instruments, and documents relating to other Christian activities. Police detained five of the worshipers for questioning, then released them after they signed a confession. None of the worshipers was arrested. In June the Government arrested an Indian Christian for possession of a videotape of a religious event. He was released in August after spending 2 months in jail and then deported to India (see Section 1.d.). On December 8 in Riyadh, the authorities raided a gathering of 12 Filipino Christians after a worship service. The authorities arrested six of the individuals; two were released the same day, one subsequently was released, and three remained in custody at year's end.

Proselytizing by non-Muslims is illegal, although there were no reports during the year of arrests for proselytizing. Persons wearing religious symbols of any kind in public risk confrontation with the Mutawwa'in. This general prohibition against religious symbols also applies to Muslims. A Christian wearing a crucifix or a Muslim

wearing a Koranic necklace in public would be admonished. In certain areas, both the Mutawwa'in and vigilantes acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners (see Sections 1.c., 1.d., and 1.f.).

Customs officials routinely open mail and shipments to search for contraband, including material that is deemed pornographic, and non-Muslim religious material. Customs officials confiscated or censored materials considered offensive, including Bibles and religious videotapes.

Islamic religious education is mandatory in public schools at all levels. All children receive religious instruction, which generally is limited to that of the Hanbali school of Islam.

In accordance with Shari'a, Saudi women are prohibited from marrying non-Muslims, but Saudi men may marry Christians and Jews, as well as Muslims.

The Government requires noncitizens to carry Iqamas, or legal resident identity cards, which contain a religious designation for "Muslim" or "non-Muslim."

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government restricts the travel of Saudi women, who must obtain written permission from their closest male relative before the authorities allow them to board domestic public transportation or to travel abroad (see Section 5). In 1999 the Ministry of Interior announced that preparations were underway to issue identity cards to women, which would have been a step toward allowing women to establish independent legal identities from men and to secure greater rights in many areas, including travel. However, the Ministry announced in August that the current identification document system for women would be maintained for another 3 years and thus identity cards would not be issued. Men may travel anywhere within the country or abroad.

Foreigners typically are allowed to reside or work in the country only under the sponsorship of a citizen or domestic business. The Government requires foreign residents to carry identification cards. It does not permit foreigners to travel outside the city of their employment or change their workplace without their sponsor's permission. Foreign residents who travel within the country may be asked by the authorities to show that they possess letters of permission from their employer or sponsor.

Sponsors generally retain possession of foreign workers' passports. Foreign workers must obtain permission from their sponsors to travel abroad. If sponsors are involved in a commercial or labor dispute with foreign employees, they may ask the authorities to prohibit the employees from departing the country until the dispute is resolved. Some sponsors use this as a pressure tactic to resolve disputes in their favor or to have foreign employees deported. There were numerous reports of the Government prohibiting foreign employees involved in labor disputes from departing the country until the dispute was resolved (see Section 5).

The Government seizes the passports of all potential suspects and witnesses in criminal cases and suspends the issuance of exit visas to them until the case is tried or otherwise concluded. As a result, some foreign nationals are forced to remain in the country for lengthy periods against their will. The authorities sometimes confiscate the passports of suspected oppositionists and their families. The Government actively discourages Shi'a from traveling to Iran to visit pilgrimage sites. The Government still punishes Shi'a who travel to Iran without permission from the Ministry of the Interior, or those suspected of such travel, by confiscating passports for up to 2 years (see Section 5).

Citizens may emigrate, but the law prohibits dual citizenship. Apart from marriage to a Saudi national, there are no provisions for foreign residents to acquire citizenship. However, foreigners are granted citizenship in rare cases, generally through the advocacy of an influential patron.

The 1992 Basic Law provides that "the state will grant political asylum if the public interest mitigates" in favor of it. The language does not specify clear rules for adjudicating asylum cases. In general the authorities regard refugees and displaced persons like other foreign workers: They must have sponsors for employment or risk expulsion. Of the 33,000 Iraqi civilians and former prisoners of war given refuge in the country at the end of the Gulf War, none has been granted permanent asylum; however, the Government has underwritten the entire cost of providing safe haven to the Iraqi refugees and continues to provide excellent logistical and administrative support to the UNHCR and other resettlement agencies.

Approximately 27,000 of the original 33,000 Iraqi refugees had been resettled in other countries or voluntarily repatriated to Iraq at year's end. Most of the approximately 5,400 remaining refugees, as well as 160 Afghan refugees, are restricted to the Rafha refugee camp. The UNHCR has monitored over 3,000 persons voluntarily returning to Iraq from Rafha since December 1991 and found no evidence of forcible repatriation (see Section 1.c.).

The Government has allowed some foreigners to remain temporarily in the country in cases where their safety would be jeopardized if they were deported to their home countries.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. There are no formal democratic institutions, and only a few citizens have a voice in the choice of leaders or in changing the political system. The King rules on civil and religious matters within certain limitations established by religious law, tradition, and the need to maintain consensus among the ruling family and religious leaders.

The King is also the Prime Minister, and the Crown Prince serves as Deputy Prime Minister. The King appoints all other ministers, who in turn appoint subordinate officials with cabinet concurrence. In 1992 the King appointed 60 members to a Consultative Council, or Majlis Ash-Shura. This strictly advisory body began to hold sessions in 1993. In 1997 the King expanded the council to 90 members. There are two Shi'a on the Council. The Council engages in debates that, while closed to the general public, provide advice and views occasionally contrary to the Government's proposed policy or recommended course of action. The Government usually incorporates the Majlis' advice into its final policy announcements or tries to convince it that the Government's policy is correct.

The Council of Senior Islamic Scholars is another advisory body to the King and the Cabinet. It reviews the Government's public policies for compliance with Shari'a. The Government views the Council as an important source of religious legitimacy and takes the Council's opinions into account when promulgating legislation.

In June the press reported on the first meeting of a newly established "Royal Family Council," which is composed of the Crown Prince and representatives of major branches of the extended royal family. The Council's stated purpose is to consider "major decisions regarding the family." Its role in government, if any, is not clear.

Communication between citizens and the Government usually is expressed through client-patron relationships and by affinity groups such as tribes, families, and professional hierarchies. In theory, any male citizen or foreign national may express an opinion or air a grievance at a majlis, an open-door meeting held by the King, a prince, or an important national or local official. However, as governmental functions have become more complex, time-consuming, and centralized, public access to senior officials has become more restricted. Since the assassination of King Faisal in 1975, Saudi kings have reduced the frequency of their personal contacts with the public. Ministers and district governors more readily grant audiences at a majlis.

Typical topics raised in a majlis are complaints about bureaucratic delay or insensitivity, requests for personal redress or assistance, and criticism of particular acts of government affecting family welfare. Broader "political" concerns—social, economic, or foreign policy—rarely are raised. Complaints about royal abuses of power are not entertained. In general journalists, academics, and businessmen believe that institutionalized avenues of domestic criticism of the regime are closed. Feedback is filtered through private personal channels and has affected various policy issues, including the Middle East peace process, unemployment of young Saudi men, and the construction of new infrastructure.

The Committee for the Defense of Legitimate Rights (CDLR), an opposition group, was established in 1993. The Government acted almost immediately to repress it. In 1994 one of its founding members, Mohammed Al-Masari, fled to the United Kingdom, where he sought political asylum and established an overseas branch of the CDLR. In 1996 internal divisions within the CDLR led to the creation of the rival Islamic Reform Movement (IRM), headed by Sa'ad Al-Faqih. Al-Masari expressed the CDLR's "understanding" of two fatal terrorist bombings of U.S. military facilities in 1995 and 1996 and sympathy for the perpetrators. The IRM implicitly condoned the two terrorist attacks as well, arguing that they were a natural outgrowth of a political system that does not tolerate peaceful dissent. Both groups continue to criticize the Government, using computers and facsimile transmissions to send newsletters back to Saudi Arabia.

Women play no formal role in government and politics and are actively discouraged from doing so. Participation by women in a majlis is restricted, although some women seek redress through female members of the royal family.

Two of the 90 members of the Majlis Ash-Shura are Shi'a.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no publicly active human rights groups, and the Government has made it clear that none critical of government policies would be permitted. Both Amnesty International and Human Rights Watch reported that they have received no responses to their requests for access to the country. However, the press carried an extensive discussion on human rights following the publication in March of an Amnesty International report critical of the Government's human rights practices. While nearly all media reports concurred with the Government's dismissive response to the report, one editorial that circulated widely called on regional governments to listen to human rights criticism and review their human rights practices (see Section 2.a.).

The Government generally does not permit visits by international human rights groups or independent monitors. The Government disagrees with internationally accepted definitions of human rights and views its interpretation of Islamic law as the only necessary guide to protect human rights. The Government generally ignores or criticizes as attacks on Islam citations by international monitors or foreign governments of government human rights abuses.

However, during the year the Government initiated limited measures to participate in international human rights mechanisms, such as inviting the U.N. Special Rapporteur on the Independence of Judges and Lawyers to visit the country and acceding to the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, with reservations regarding aspects of the convention that it considers contrary to Shari'a law (see Section 5). In an address to the 56th session of the committee in April, Prince Turki bin Muhammad bin Saud Al-Kabir, Director of the International Organizations Department of the Ministry of Foreign Affairs, stated that the Government welcomed the role of international human rights mechanisms. The media widely disseminated Prince Turki's speech.

Although the Government has established a committee to investigate allegations of torture in the country pursuant to its obligations under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, it has refused to recognize the authority of the Committee Against Torture to investigate alleged abuses (see Section 1.c.).

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

There is legal and systemic discrimination based on sex and religion. The law forbids discrimination based on race, but not nationality. The Government and private organizations cooperate in providing services for the disabled. The Shi'a religious minority suffers social, legal, and sectarian discrimination.

Women.—The Government does not keep statistics on spousal abuse or other forms of violence against women. However, based on the information available regarding physical spousal abuse and violence against women, such violence and abuse appear to be common problems. Hospital workers report that many women are admitted for treatment of injuries that apparently result from spousal violence. Some foreign women have suffered physical abuse from their Saudi husbands. A Saudi man may prevent his wife and any child or unmarried adult daughter from obtaining an exit visa to depart the country (see Section 2.d.). Foreign embassies continued to receive many reports that employers abuse foreign women working as domestic servants. Some embassies of countries with large domestic servant populations maintain safehouses to which their citizens may flee to escape work situations that include forced confinement, withholding of food, beating and other physical abuse, and rape. Often the reported abuse is at the hands of female citizens. In general the Government considers such cases family matters and does not intervene unless charges of abuse are brought to its attention. It is almost impossible for foreign women to obtain redress in the courts, due to the courts' strict evidentiary rules and the women's own fears of reprisals. Few employers have been punished for such abuses. There are no private support groups or religious associations to assist such women.

By religious law and social custom, women have the right to own property and are entitled to financial support from their husbands or male relatives. However, women have few political or social rights and are not treated as equal members of society. There are no active women's rights groups. Women legally may not drive motor vehicles and are restricted in their use of public facilities when men are present. Women must enter city buses by separate rear entrances and sit in specially designated sections. Women risk arrest by the Mutawwa'in for riding in a vehicle driven by a male who is not an employee or a close male relative. Women are not admitted to a hospital for medical treatment without the consent of a male rel-

ative. By law and custom, women may not undertake domestic or foreign travel alone (see Section 2.d.). In 1999 the Ministry of Interior announced that preparations were underway to issue identity cards to women, which would have been a step toward allowing women to establish independent legal identities from men. However, the Ministry announced in August that the current identification document system for women would be maintained for another 3 years, and that identity cards therefore would not be issued.

In public a woman is expected to wear an abaya (a black garment that covers the entire body) and to cover her head and face. The Mutawwa'in generally expect women from Arab countries, Asia, and Africa to comply more fully with Saudi customs of dress than they do Western women; nonetheless, in recent years they have instructed Western women to wear the abaya and cover their hair as well. During the year, Mutawwa'in continued to admonish and harass women to wear their abayas and cover their hair.

Some government officials and ministries still bar accredited female diplomats in the country from official meetings.

Women also are subject to discrimination under Shari'a as interpreted in Saudi Arabia, which stipulates that daughters receive half the inheritance awarded to their brothers. In a Shari'a court, the testimony of one man equals that of two women (see Section 1.e.). Although Islamic law permits polygyny, with up to four wives, it is becoming less common due to demographic and economic changes. Islamic law enjoins a man to treat each wife equally. In practice such equality is left to the discretion of the husband. Some women participate in Al-Mesyar (or "short daytime visit") marriages, in which the women relinquish their legal rights to financial support and nighttime cohabitation. Additionally, the husband is not required to inform his other wives of the marriage, and any children resulting from such a marriage have no inheritance rights. The Government places greater restrictions on women than on men regarding marriage to non-Saudis and non-Muslims (see Section 1.f.). While Shari'a provides women with a basis to own and dispose of property independently, women often are constrained from asserting such rights because of various legal and societal barriers, especially regarding employment and freedom of movement.

Women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause. In doing so, men are required to pay immediately an amount of money agreed upon at the time of the marriage, which serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce still are entitled to this alimony. If divorced or widowed, a Muslim woman normally may keep her children until they attain a specified age: 7 years for boys, 9 years for girls. Children over these ages are awarded to the divorced husband or the deceased husband's family. Numerous divorced foreign women continued to be prevented by their former husbands from visiting their children after divorce.

Women have access to free but segregated education through the university level. They constitute over 58 percent of all university students but are excluded from studying such subjects as engineering, journalism, and architecture. Men may study overseas; women may do so only if accompanied by a spouse or an immediate male relative.

Women make up approximately 5 percent of the formal work force and own about 4 percent of the businesses, although they must deputize a male relative to represent the business. Most employment opportunities for women are in education and health care, with lesser opportunity in business, philanthropy, banking, retail sales, and the media. Despite limited educational opportunities in many professional fields, some female citizens are able to study abroad and return to work in professions such as architecture and journalism. Many foreign women work as domestic servants and nurses. In 1997 the Government authorized women to work in a limited capacity in the hotel industry. Women who wish to enter nontraditional fields are subject to discrimination. Women may not accept jobs in rural areas if there are no adult male relatives present with whom they may reside and who agree to take responsibility for them. Most workplaces in which women are present are segregated by sex. Frequently, contact with male supervisors or clients is allowed only by telephone or fax machine. In 1995 the Ministry of Commerce announced that women no longer would be issued business licenses for work in fields that might require them to supervise foreign workers, interact with male clients, or deal on a regular basis with government officials. However, in hospital settings and in the oil industry, women and men work together, and, in some instances, women supervise male employees.

In September Crown Prince Abdullah signed the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, with reservations regarding aspects of the Convention that the Government considers contrary to Shari'a law.

Children.—The Government provides all children with free education and medical care. Children are not subject to the strict social segregation faced by women, although they are segregated by sex in schools, beginning at the age of 7. In more general social situations, boys are segregated at the age of 12 and girls at the onset of puberty.

It is difficult to gauge the prevalence of child abuse, since the Government currently keeps no national statistics on such cases. One major hospital has begun a program to detect, report, and prevent child abuse. In general Saudi culture greatly prizes children, and initial studies show that severe abuse and neglect of children appear to be rare.

Trafficking in children for forced begging persists (see Sections 6.c., and 6.f.).

Female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced among some foreign workers from East Africa and the Nile Valley. It is not always clear whether the procedure occurred in Saudi Arabia or the workers' home countries. There is no law specifically prohibiting FGM.

People with Disabilities.—The provision of government social services increasingly has brought the disabled into the public mainstream. In October Riyadh governor Prince Salman Bin Abd Al-Aziz announced that the Government was implementing new regulations designed to integrate disabled persons into the mainstream of society; the regulations had not been implemented by year's end. The media carry features lauding the accomplishments of disabled persons and sharply criticizing parents who neglect disabled children. The Government and private charitable organizations cooperate in education, employment, and other services for the disabled. The law provides hiring quotas for the disabled. There is no legislation that mandates public accessibility; however, newer commercial buildings often include such access.

Foreign criminal rings reportedly bought and imported disabled children for the purpose of forced begging (see Sections 5, 6.c. and 6.f.).

Police generally transport mentally ill persons found wandering alone in public to their families or a hospital. However, there were reports that police pick up mentally ill persons for minor violations, detain them for a few weeks, and then release them, only to detain them again later for similar violations. Police officials recognize the problem but claim that according to Islam, family members should be taking care of such individuals.

Religious Minorities.—Shi'a citizens are discriminated against in government and employment, especially in national security jobs. Several years ago the Government subjected Shi'a to employment restrictions in the oil industry and has not relaxed them. Since the 1979 Iranian revolution, some Shi'a who are suspected of subversion have been subjected periodically to surveillance and limitations on travel abroad. Since beginning the investigation of the 1996 bombing of a U.S. military installation, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims, including Shi'a returning to the country following their travel to Iran (see Sections 1.d. and 2.d.).

In April in the city of Najran, riots took place that led to members of the Makarama Ismaili Shi'a community engaging in gun battles with security forces that reportedly resulted in a number of deaths. Conflicting unconfirmed reports attributed the unrest to religious differences, smuggling, or land seizures (see Section 2.c.).

Under Saudi law, children of Saudi fathers are considered Muslim, regardless of the country or the religious tradition in which they may have been raised. In some cases, children raised in other countries and in other religious traditions later taken by their Saudi fathers to Saudi Arabia reportedly were coerced to conform to their fathers' interpretation of Islamic norms and practices.

National/Racial/Ethnic Minorities.—Although racial discrimination is illegal, there is substantial societal prejudice based on ethnic or national origin. Foreign workers from Africa and Asia are subject to various forms of formal and informal discrimination and have the most difficulty in obtaining justice for their grievances. For example, pay scales for identical or similar labor or professional services are set by nationality such that two similarly qualified and experienced foreign nationals performing the same employment duties receive varied compensation based on their nationalities (see Section 6.b.).

Section 6. Worker Rights

a. The Right of Association.—Government decrees prohibit the establishment of labor unions, and strikes are prohibited; however, several work stoppages were staged in Jeddah during the year by foreign hospital, food processing, and construction workers who had not been paid.

In 1995 Saudi Arabia was suspended from the U.S. Overseas Private Investment Corporation (OPIC) insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—Collective bargaining is forbidden. Foreign workers comprise about two-thirds of the work force. There is no minimum wage; wages are set by employers and vary according to the type of work performed and the nationality of the worker (see Section 5).

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The Government prohibits forced or compulsory labor pursuant to a 1962 royal decree that abolished slavery. Ratification of the International Labor Organization (ILO) Conventions 29 and 105, which prohibit forced labor, gives them the force of law. However, employers have significant control over the movements of foreign employees, which results in situations that sometimes involve forced labor, especially in remote areas where workers are unable to leave their place of work.

Some sponsors prevented foreign workers from obtaining exit visas to pressure them to sign a new work contract or to drop claims against their employers for unpaid salaries (see Section 2.d.). Some sponsors also pressure foreign workers by refusing to provide them with a "letter of no objection" that would allow them to be employed by another sponsor.

The labor laws, including those designed to limit working hours and regulate working conditions, do not apply to foreign domestic servants, and such domestic servants may not seek the protection of the labor courts. There were credible reports that female domestic servants sometimes were forced to work 12 to 16 hours per day, 7 days per week. There were numerous confirmed reports of maids fleeing employers and seeking refuge in their embassies (see Section 5). The authorities often forced runaway maids to return to their places of employment.

There have been many reports of workers whose employers refused to pay several months, or even years, of accumulated salary or other promised benefits. Foreign workers with such grievances, except domestic servants, have the right to complain before the labor courts, but few do so because of fear of deportation. The labor system is conducive to the exploitation of foreign workers because enforcement of work contracts is difficult and generally favors employers. Labor courts, while generally fair, may take many months to reach a final appellate ruling, during which time an employer may prevent the foreign laborer from leaving the country. An employer also may delay a case until a worker's funds are exhausted and the worker is forced to return to his home country.

The law does not specifically prohibit forced or bonded labor by children. Nonetheless, with the rare exception of criminal begging rings, and the possible exceptions of family businesses, forced or bonded child labor does not occur (see Section 6.d.). Children, mainly of South Asian and African origin, frequently are used for the purpose of organized begging, particularly in the vicinity of the Grand Mosque in Mecca during Islamic holidays (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 13 years, which may be waived by the Ministry of Labor with the consent of a juvenile's guardian. There is no minimum age for workers employed in family-oriented businesses or in other areas that are construed as extensions of the household, such as farming, herding, and domestic service. The law does not prohibit specifically forced or bonded labor by children, but it is not a problem, with the rare exception of forced child begging rings, and possibly family businesses (see Section 6.c.).

Children under the age of 18 and women may not be employed in hazardous or harmful industries such as mining or industries that use power-operated machinery. While there is no formal government entity responsible for enforcing the minimum age for employment of children, the Ministry of Justice has jurisdiction and has acted as plaintiff in the few cases that have arisen against alleged violators. However, in general children play a minimal role in the work force.

e. Acceptable Conditions of Work.—There is no legal minimum wage. Labor regulations limit the work week to 48 hours, including no more than 8 hours a day and no more than 5 hours without a break for rest, prayer, and food. The regulations allow employers to require up to 12 additional hours of overtime per workweek at time-and-a-half pay. Labor law provides for a 24-hour rest period, normally on Fridays, although the employer may grant it on another day. The average wage generally provides a decent standard of living for a worker and family.

The ILO has stated that the Government has not formulated legislation implementing the ILO Convention on Equal Pay, and that regulations that segregate work places by sex, or limit vocational programs for women, violate ILO Convention 111.

Some foreign nationals who have been recruited abroad have complained that after their arrival in Saudi Arabia they were presented with work contracts that specified lower wages and fewer benefits than originally promised. Other foreign workers reportedly have signed contracts in their home countries and later were pressured to sign less favorable contracts upon arrival. Some employees report that at the end of their contract service, their employers refuse to grant permission to allow them to return home. Foreign employees involved in disputes with their employers may find their freedom of movement restricted (see Section 2.d.). A large number of female domestic servants often were subjected to abuse (see Sections 5 and 6.c.).

"Saudiization" is the Government's attempt to decrease the number of foreigners working in certain occupations and to replace them with Saudi workers. To accomplish this goal, the Government has taken several long-term steps, most notably limiting employment in certain fields to citizens, prohibiting renewal of existing contracts, and requiring that 5 percent of the work force in private sector companies be filled by citizen workers. The Government also requires firms to increase the proportion of citizen workers by 5 per cent each year. There is a limited number of persons, both influential and otherwise, who attempted to circumvent the requirements of the law. For example, employers have altered job descriptions or hired foreigners for nominally low-level positions but in fact had them fill positions reserved for citizens. In Jeddah fruit and vegetable vending jobs at a large open-air market were Saudiized in late 1999. However, by early in the year, the newly hired Saudi sellers had hired back many of the fired foreigners to run the stalls for them at lower wages than they had earned before the Saudiization occurred. Influential persons effectively may circumvent the law because the Ministry of Labor is reportedly unwilling to confront them.

The ongoing campaign to remove illegal immigrants from the country has done little to Saudiize the economy because illegal immigrants largely work in low-income positions, which most Saudis consider unsuitable. In some cases, the campaign may have resulted in enhanced job security and wage stability for some legally employed immigrants in low-income positions. The Government is carrying out the campaign by widely publicizing its enforcement of existing laws against illegal immigrants and citizens who employ or sponsor illegal immigrants. In addition to deportation for illegal workers and jail terms and fines for citizens hiring illegal workers, the Government announced in 1998 that houses rented to illegal aliens would be ordered closed. In 1997 the Government offered an amnesty of several months' duration, which allowed illegal immigrants and their employers or sponsors to avoid the possibility of prosecution by voluntarily seeking expeditious repatriation. As of September 1999, as many as 1.1 million persons departed the country under terms of the amnesty or were deported for violating residence and labor laws. During this process, the Government yielded to domestic pressure and granted grace periods and exemptions to certain categories of illegal immigrants (such as domestic servants, drivers, and shepherds), thereby allowing many illegal immigrants to legalize their status without leaving the country. The Government announced in April that the grace period would expire in June and that anyone staying illegally could be subject to imprisonment, a fine, and questioning regarding who was assisting them. Illegal immigrants generally are willing to accept lower salaries and fewer benefits than legally employed immigrants. The departure or legalization of illegal workers reduced the competition for certain jobs and thereby reduced the incentive for legal immigrants to accept lower wages and fewer benefits as a means of competing with illegal immigrants.

Labor regulations require employers to protect most workers from job-related hazards and disease. Foreign nationals report frequent failures to enforce health and safety standards. Farmers, herdsman, domestic servants, and workers in family-operated businesses are not covered by these regulations. Workers risk losing employment if they remove themselves from hazardous work conditions.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons; however, the law prohibits slavery and the smuggling of persons into the country.

Children, mainly of South Asian and African origin, frequently are used for the purpose of organized begging, particularly in the vicinity of the Grand Mosque in Mecca during Islamic holidays. There were reports that some of these children were smuggled into the country by organized rings.

There were unconfirmed reports that women were trafficked into the country to work as prostitutes.

SYRIA

Despite the existence of some institutions of democratic government, the political system places virtually absolute authority in the hands of the President. Former President Hafiz Al-Asad died on June 10 after 30 years in power. Immediately following Al-Asad's death, the Parliament amended the Constitution, reducing the mandatory minimum age of the President from 40 to 34 years old, which allowed his son, Bashar Al-Asad to be legally eligible for nomination by the ruling Ba'th party. On July 10, Bashar was elected by referendum in which he ran unopposed, and received 97.29 percent of the vote. Key decisions regarding foreign policy, national security, internal politics, and the economy are made by the President, with counsel from his ministers, high-ranking members of the ruling Ba'th Party, and a relatively small circle of security advisers. Although the Parliament is elected every 4 years, the Ba'th Party is ensured a majority. The Parliament cannot initiate laws, but only assesses and sometimes modifies those proposed by the executive branch. The Constitution provides for an independent judiciary, but this is not the case in the exceptional (state of emergency) security courts, which are subject to political influence. The regular courts display independence, although political connections and bribery can influence verdicts. In general all three branches of government are influenced to varying degrees by leaders of the Ba'th Party, whose primacy in state institutions is mandated by the Constitution.

The powerful role of the security services in government, which extends beyond strictly security matters, stems in part from the state of emergency that has been in place almost continuously since 1963. The Government justifies martial law because of the state of war with Israel and past threats from terrorist groups. Syrian Military Intelligence and Air Force Intelligence are military agencies, while General Security, State Security, and Political Security come under the purview of the Ministry of Interior. The branches of the security services operate independently of each other and outside the legal system. Their members commit serious human rights abuses.

The economy is based on commerce, agriculture, oil production, and government services. There is a generally inefficient public sector, a private sector, and a mixed public/private sector. The still-dominant state role in the economy, a complex bureaucracy, overarching security concerns, endemic corruption, currency restrictions, a lack of modern financial services and communications, and a weak legal system hamper economic growth. The Government has sought to promote the private sector through investment incentives, exchange rate consolidation, and deregulation, especially with regard to financial transactions governing imports and exports. However, in recent years, diminished foreign aid, drought, fluctuating prices for oil and agricultural commodities, and regional recession have hurt the economy. Uncertainty about the Middle East peace process and sporadic tension over Iraq has diminished investor confidence in the region. Consequently, Syria posted negative gross domestic product (GDP) rates of 4.4 percent in 1997, 1.2 percent in 1998, and an estimated 2 percent in 1999. A high population growth rate of 3.3 percent continues to erode whatever economic gains are made. It is estimated that real per capita GDP again decreased in 1999. However, the Government has been very successful in controlling the money supply, with inflation remaining in the 2 percent range in 1998. Despite a 25 percent wage increase for public and private sector employees and a 20 percent increase for pensions, wage and benefits increases generally have not kept pace with cost of living increases. The gap between the rich and poor remained, with many public sector workers relying on second jobs to make ends meet.

The human rights situation remained poor, and the Government continues to restrict or deny fundamental rights, although there were improvements in some areas. The Ba'th Party dominates the political system, as provided for by the Constitution, and citizens do not have the right to change their government. The Government uses its vast powers so effectively that there is no organized political opposition, and there have been very few antiregime manifestations. Serious abuses include the widespread use of torture in detention; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; an inefficient judiciary that suffers from corruption and, at times, political influence; infringement on citizens' privacy rights; denial of freedom of speech and of the press, despite a slight loosening of censorship restrictions; denial of freedom of assembly and association; some limits on freedom of religion; and limits on freedom of movement.

The Government does not officially allow independent domestic human rights groups to exist; however, there were reports that several domestic human rights organizations and civil society groups began meeting regularly during the year. Vio-

lence and societal discrimination against women are problems. The Government discriminates against the stateless Kurdish minority, suppresses worker rights, and child labor occurs. In November the Government declared an amnesty for 600 political prisoners and detainees and a general pardon for some nonpolitical prisoners and closed the Mazzah prison, which reportedly held numerous political prisoners and detainees. In December the Government transferred 54 Lebanese prisoners from Syrian to Lebanese custody.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political killings during the year.

In November security forces killed 4 Bedouins during the Government's intervention in armed clashes between Bedouin shepherds and Druze residents of Suwayda Province (see Sections 1.c. and 5). In October 1999, government forces moved against a residential compound and boat dock owned by President Asad's brother, Rifat Al-Asad. A number of Rifat's supporters, including military guards, were sequestered in the compound, and the clash resulted in an unconfirmed number of deaths, including government forces. The Government reportedly claimed that the clash was the consequence of enforcing "legal measures" that were taken against Rifat and his supporters because of "violations of civil and military laws."

There were reports in 1999 of corporal punishment of army recruits that led to injury or death (see Section 1.c.).

In 1998 3 policemen were convicted in 1998 and sentenced to 10 years of hard labor by the Aleppo criminal court for the torture and killing of a 50-year-old man accused of heroin dealing, marking the first time since 1994 that members of the security forces were held accountable for their actions.

There were no reports of deaths in detention; however, such deaths have occurred in the past. Previous deaths in detention have not been investigated by the Government, and the number and identities of prisoners who died in prisons since the 1980's remain unknown.

In 1998 Lebanon's military prosecutor charged 18 members of the Lebanese Forces, an outlawed rightwing Christian militia, with carrying out the December 1996 bombing of a bus in Damascus. Eleven of the 18 persons charged were in custody. There were no further developments in the case during the year.

b. Disappearance.—There were no confirmed reports of politically motivated disappearances. Despite inquiries by international human rights organizations and foreign governments, the Government offered little new information on the welfare and whereabouts of persons who have been held incommunicado for years or about whom no more is known other than the approximate date of their detention, including Palestinians and Jordanian and Lebanese citizens who reportedly were abducted from Lebanon during and after Lebanon's civil war (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Despite the existence of constitutional provisions and several Penal Code penalties for abusers, there was credible evidence that security forces continued to use torture. Former prisoners and detainees report that torture methods include administering electrical shocks; pulling out fingernails; forcing objects into the rectum; beating, sometimes while the victim is suspended from the ceiling; hyperextending the spine; and using a chair that bends backwards to asphyxiate the victim or fracture the victim's spine. Although torture may occur in prisons, torture is most likely to occur while detainees are being held at one of the many detention centers run by the various security services throughout the country, and particularly while the authorities are trying to extract a confession or information about an alleged crime or alleged accomplices.

The Government has denied the use of torture and claims that it would prosecute anyone believed guilty of using excessive force or physical abuse. Past victims of torture have identified the officials who beat them, up to the level of brigadier general. If allegations of excessive force or physical abuse are to be made in court, the plaintiff is required to initiate his own civil suit against the alleged abuser.

Courts do not order medical examinations for defendants who claim that they were tortured (see Section 1.e). There were reports in 1999 of the corporal punishment of army recruits that led to injury or death (see Section 1.a.).

There were credible reports of torture during the year, including one prisoner who alleged he had been tortured while held in solitary confinement for 3 months. The Government reportedly tortured some of the Islamist prisoners who were detained during the large-scale arrests in late 1999 and early 2000 (see Sections 1.d. and 2.c.).

In October police used teargas and batons to disperse several large demonstrations directed against diplomatic missions and international agencies in reaction to the Israeli Government's use of force against Palestinians in Israel, the West Bank, and Gaza; an indeterminate number of demonstrators and police personnel were injured (see Section 2.b.).

In November 200 persons were injured during clashes in Suwayda province involving Druze residents, Bedouin shepherds, and security forces (see Sections 1.a. and 5).

Prison conditions vary but generally are poor and do not meet minimum international standards for health and sanitation. Facilities for political or national security prisoners generally are worse than those for common criminals. The prison in Palmyra, where many political and national security prisoners have been kept, is widely considered to have the worst conditions. At some prisons, authorities allow visitation, but in other prisons, security officials demand bribes from family members who wish to visit incarcerated relatives. Overcrowding and the denial of sufficient nourishment occurs at several prisons. According to Human Rights Watch, prisoners and detainees are held without adequate medical care, and some prisoners with significant health problems reportedly are denied medical treatment. Some former detainees have reported that the Government prohibits reading materials, even the Koran, for political prisoners.

The Government does not permit independent monitoring of prison or detention center conditions.

d. Arbitrary Arrest, Detention, or Exile.—Arbitrary arrest and detention are problems. The Emergency Law, which authorizes the Government to conduct preventive arrests, overrides Penal Code provisions against arbitrary arrest and detention, including the need to obtain warrants. Officials contend that the Emergency Law is applied only in narrowly defined cases. Nonetheless, in cases involving political or national security offenses, arrests generally are carried out in secret, and suspects may be detained incommunicado for prolonged periods without charge or trial and are denied the right to a judicial determination for the pretrial detention. Some of these practices are prohibited by the state of emergency, but the authorities are not held to these strictures.

The Government has been known to detain relatives of detainees or of fugitives in order to obtain confessions or the fugitive's surrender (see Section 1.f.).

Defendants in civil and criminal trials have the right to bail hearings and the possible release from detention on their own recognizance. There is no bail option for those accused of national security offenses. Unlike defendants in regular criminal and civil cases, security detainees do not have access to lawyers prior to or during questioning.

Detainees have no legal redress for false arrest. Security forces often do not provide detainees' families with information on their welfare or location while in detention. Consequently, many persons who have disappeared in past years are believed to be in long-term detention without charge or possibly to have died in detention. It appears that the number of new disappearances has declined in recent years, although this circumstance may be due to the Government's success in deterring opposition political activity rather than a loosening of the criteria for detention. Many detainees brought to trial have been held incommunicado for years, and their trials often have been unfair (see Section 1.e.). There were reliable reports that the Government did not notify foreign governments when their citizens were arrested or detained.

Pretrial detention may be lengthy, even in cases not involving political or national security offenses. The criminal justice system is backlogged. Many criminal suspects are held in pretrial detention for months and may have their trials extended for additional months. Lengthy pretrial detention and drawn-out court proceedings are caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea bargaining (see also Section 1.e.).

It is not known whether any Turkomen from among hundreds detained in 1996 remain in detention.

There were reports of large-scale arrests of Syrian and Palestinian Islamists between late December 1999 and February. Hundreds of persons allegedly were arrested in the cities of Damascus, Hama, Aleppo, and Homs. Most of those arrested reportedly were released after signing an agreement not to participate in political activities; however, some may remain in detention.

There were reliable reports that security forces arrested several minors on unspecified political charges during the year. The minors reportedly were held in adult facilities for 6 months, had no access to legal counsel, and were not allowed visits from family members.

There were unconfirmed reports that a large number of Jordanian prisoners were released between May and July. However, according to Amnesty International (AI), only three of the released Jordanians had been held for political reasons.

In May there were media reports that Communist Action Party leaders Aslan 'Abd Al-Karim and Fateh Jamous and oppositionist Randa Ayoubi were released from prison; they reportedly were not required to agree to abstain from participating in political activities. In August Sheikh Hashim Minqara, a leader of the Islamic Tawheed Movement who was arrested in Lebanon in 1985 reportedly was released.

In November the Government declared an amnesty for 600 political prisoners and detainees and a general pardon for some nonpolitical prisoners, including some who were held under the Economic Penal Code. The amnesty was covered in the media and reportedly was the first time that the Government acknowledged that it held persons for political reasons. There are credible reports that the 600 detainees, including members of the Muslim Brotherhood, the Islamic Salvation Party, the Communist Action Party, and some Kurds, are being released incrementally. The Government also closed the Mazzah prison in November, which reportedly held numerous political prisoners and detainees.

In December the Government transferred 54 Lebanese political prisoners and detainees from Syrian to Lebanese custody (see Section 1.e.).

A prisoner amnesty that was announced in July 1999 is believed to have benefited some political prisoners and detainees. While the total number of those released is unknown, AI identified six prisoners held for political reasons who were released. Unconfirmed reports suggest that as many as 600 prisoners may have been released. According to AI, hundreds of persons held for political reasons also were released in 1998. Prior to the 1998–2000 releases, the last significant release of political detainees took place in late 1995, with approximately 2,200 to 3,000 persons believed to have been released. Some former prisoners reportedly were required to sign loyalty oaths or admissions of guilt as a condition of their release. Most of those arrested in a mass crackdown in 1980 have been released; however, some may remain in prolonged detention without charge. Some union and professional association officials detained in 1980 may remain in detention (see Sections 2.b. and 6.a.). AI reported in 1998 that “hundreds of Lebanese, Palestinians, and Jordanians have been arbitrarily arrested, some over two decades ago, and remain in prolonged and often secret detention.”

The number of remaining political detainees is unknown. In June prior to the November prison amnesty, AI estimated that there were approximately 1,500 political detainees in the country; many of the detainees reportedly are suspected supporters of the Muslim Brotherhood and the pro-Iraqi wing of the Ba'th party. There also are Jordanian, Lebanese, and Palestinian political detainees. According to Amnesty International, security forces also detain family members of suspected oppositionists (see Section 1.f.). Estimates of detainees are difficult to confirm because the Government does not verify publicly the number of detentions without charge, the release of detainees or amnestied prisoners, or whether detainees subsequently are sentenced to prison (see Section 1.e.).

In October 1998, the Jordanian Government requested that the Syrian Government account for 429 named Jordanian nationals, 239 of whom Jordan claims have been missing since they entered Syria, and 190 of whom Jordan claims are imprisoned in Syria. Families of missing Jordanians allege that there are more than 700 Jordanians in Syrian detention. According to press reports, government sources stated that the names provided by Jordan were being examined and that the Government would respond officially. To date there has been no published official response.

Former prisoners are subject to a so-called “rights ban,” which begins from the day of sentencing and lasts until 10 years after the expiration of the sentence. Persons subject to this ban are not allowed to vote, run for office, or work in the public sector; they often also are denied passports.

The Government has exiled citizens in the past, although the practice is prohibited by the Constitution. The Government refuses to reissue the passports of citizens who fled the country in the 1980's; such citizens consequently are unable to return to the country.

There were no known instances of forced exile during the year.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary, but the two exceptional courts dealing with alleged security cases are not independent of executive branch control. The regular court system displays considerable independence in civil cases, although political connections and bribery sometimes influence verdicts.

The judicial system is composed of the civil and criminal courts, military courts, security courts, and religious courts, which adjudicate matters of personal status such as divorce and inheritance. The Court of Cassation is the highest court of ap-

peal. The Supreme Constitutional Court is empowered to rule only on the constitutionality of laws and decrees; it does not hear appeals.

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to the legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent; they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants may appeal their verdicts to a provincial appeals court and ultimately to the Court of Cassation. Such appeals are difficult because the courts do not provide verbatim transcripts of cases—only summaries prepared by the presiding judges. There are no juries.

Military courts have the authority to try civilians as well as military personnel. The venue for a civilian defendant is decided by a military prosecutor. There were continuing reports that the Government operates military field courts in locations outside established courtrooms. Such courts reportedly observe fewer of the formal procedures of regular military courts.

The two security courts are the Supreme State Security Court (SSSC), which tries political and national security cases, and the Economic Security Court (ESC), which tries cases involving financial crimes. Both courts operate under the state of emergency, not ordinary law, and do not observe constitutional provisions safeguarding defendants' rights.

Charges against defendants in the SSSC often are vague. Many defendants appear to be tried for exercising normal political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," "shaking the confidence of the masses in the aims of the revolution," or attempting to "change the economic or social structure of the State." Nonetheless the Government contends that the SSSC tries only persons who have sought to use violence against the State.

Under SSSC procedures, defendants are not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials usually are closed to the public. Lawyers are not ensured access to their clients before the trial and are excluded from the court during their client's initial interrogation by the prosecutor. Lawyers submit written defense pleas rather than oral presentations. The State's case often is based on confessions, and defendants have not been allowed to argue in court that their confessions were coerced. There is no known instance in which the court ordered a medical examination for a defendant who claimed that he was tortured. The SSSC reportedly has acquitted some defendants, but the Government does not provide any statistics on the conviction rate. Defendants do not have the right to appeal verdicts, but sentences are reviewed by the Minister of Interior, who may ratify, nullify, or alter sentences. The President also may intervene in the review process.

Accurate information on the number of cases heard by the SSSC is difficult to obtain, although hundreds of cases are believed to pass through the court annually. Many reportedly involved charges relating to membership in various banned political groups, including the Party of Communist Action and the pro-Iraqi wing of the Ba'th Party. Sentences as long as 15 years have been imposed in the past. The Government permitted delegates from AI to attend a session of the SSSC in 1997; however there have been no visits by human rights nongovernmental organizations (NGO's) since then (see Section 4).

The Economic Security Court (ESC) tries persons for alleged violations of foreign exchange laws and other economic crimes. The prosecution of economic crimes is not applied uniformly, as some government officials or business persons with close connections to the Government likely have violated the country's strict economic laws without prosecution. Like the SSSC, the ESC does not ensure due process for defendants. Defendants may not have adequate access to lawyers to prepare their defenses, and the State's case usually is based on confessions. Verdicts may be influenced by high-ranking government officials. Those convicted of the most serious economic crimes do not have the right of appeal, but those convicted of lesser crimes may appeal to the Court of Cassation. A significant prisoner amnesty for individuals convicted of economic crimes was announced in July 1999. Theoretically this amnesty may have benefited thousands of persons. In May late president Hafiz Al-Asad amended the Economic Penal Code to allow defendants in economic courts to be released on bail. The bail provision does not extend to those accused of forgery, counterfeiting, or auto theft; however, the amendment is intended to provide relief for those accused of other economic crimes, many of whom have been in pretrial detention for long periods of time. These amendments to the Economic Penal Code also limit the categories of cases that can be tried in the ESC. In November the Govern-

commute sentences entirely for persons who return embezzled funds to investors within 1 year of the law's effective date.

Prisoner amnesties in July 1999 and November are believed to have benefited some political prisoners and detainees. The Government also transferred 54 Lebanese political prisoners and detainees from Syrian to Lebanese custody in December (see Section 1.d.).

The Government has released virtually all of those arrested at the time President Asad took power in 1970. However, at least two persons arrested during that period may remain in prison, despite the expiration of one of the prisoners' sentences.

The Government in the past denied that it held political prisoners, arguing that, although the aims of some prisoners may be political, their activities, including subversion, were criminal. The official media reported that the 600 beneficiaries of the November amnesty were political prisoners and detainees; this reportedly was the first time that the Government acknowledged that it held persons for political reasons. Nonetheless, the Emergency Law and the Penal Code are so vague, and the Government's power so broad, that many persons were convicted and are in prison for the mere expression of political opposition to the Government.

The exact number of political prisoners is unknown.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—Although laws provide for freedom from arbitrary interference, the Emergency Law authorizes the security services to enter homes and conduct searches with warrants if security matters, very broadly defined, are involved. The security services selectively monitor telephone conversations and fax transmissions. The Government sometimes opens mail destined for both citizens and foreign residents. It also prevents the delivery of human rights materials. In August 1999, authorities repealed a 5-year ban on entry of Jordanian newspapers (also see Section 2.a.).

The Government continues its practice of threatening or detaining the relatives of detainees or of fugitives in order to obtain confessions, minimize outside interference, or prompt the fugitive's surrender (see Section 1.d.). There have been reports that security personnel force prisoners to watch relatives being tortured in order to extract confessions. According to AI, security forces also detain family members of suspected oppositionists (see Section 1.d.).

Security checkpoints continue to exist, although primarily in military and other restricted areas. There are few police checkpoints on main roads and in populated areas. Generally, the security services set up checkpoints to search for smuggled goods, weapons, narcotics, and subversive literature. The searches take place without warrants. In the past, the Government and the Ba'th Party monitored and attempted to restrict some citizens' visits to foreign embassies and cultural centers.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for right to express opinions freely in speech and in writing, but the Government restricts these rights significantly in practice. The Government strictly controls the dissemination of information and permits no written or oral criticism of the President, the President's family, the Ba'th Party, the military, or the legitimacy of the regime. The Government also does not permit sectarian issues to be raised. Detention and beatings for individual expressions of opinion that violate these unwritten rules sometimes occur, although not as frequently as in the past.

The Emergency Law allows the Government broad discretion in determining what constitutes illegal expression. It prohibits the publishing of "false information," which opposes "the goals of the revolution" (see Section 1.e.). In the past, the Government has imprisoned journalists for failing to observe press restrictions. In May 1999, a defamation case filed against a journalist was reported widely in the press. The case was believed to be the first in which a journalist was tried for what he had published; he was cleared of guilt by the court. State security services are known to threaten local journalists, including with the removal of credentials, for articles printed outside the country. There were reports that journalists temporarily lost their credentials during the year after they allegedly reported on issues deemed sensitive by the military. For example, in September authorities revoked temporarily the credentials of a local journalist who wrote an article that the Government deemed politically sensitive.

The Ministry of Information and the Ministry of Culture and National Guidance censor the domestic and foreign press. They usually prevent publication or distribution of any material deemed threatening or embarrassing by the security services to high levels of the Government. Censorship usually is stricter for materials in Arabic. Commonly censored subjects include: The Government's human rights record; Islamic fundamentalism; allegations of official involvement in drug trafficking; aspects of the Government's role in Lebanon; graphic descriptions of sexual activity;

material unfavorable to the Arab cause in the Middle East conflict; and material that is offensive to any of the country's religious groups. In addition most journalists and writers practice self-censorship to avoid provoking a negative government reaction.

Recent trends toward a modest relaxation of censorship increased during the year. In his July inaugural speech, President Bashar Al-Asad emphasized the principle of media transparency. Since July both the print and electronic media at times have been critical of Ba'th Party and government performance and have reported openly on a range of social and economic issues. While this relaxation of censorship did not extend to domestic politics or foreign policy issues, it was a notable departure from past practice. Damascus-based correspondents for regional Arab media also were able to file reports on internal political issues, such as rumored governmental changes, new political discussion groups, and the possible introduction of new parties to the Ba'th Party-dominated National Progressive Front. In November the Ba'th Party Regional Command voted to amend the press law to allow constituent parties of the National Progressive Front to publish newspapers and to open party headquarters. In November the Prime Minister rescinded a 1986 ban on the printing of publications by public institutions without prior approval from the Prime Minister.

A group of 99 Syrian intellectuals published a petition in a Lebanese newspaper in September calling for lifting martial law, ending the state of emergency in effect since 1963, releasing political prisoners, and expanding civil liberties in accordance with the provisions of the Constitution. The Government did not respond directly to the petition by year's end; however, the Government did take several of the steps called for in the petition (see Section 1.d.). The Government did not take action against any of the intellectuals who signed the petition by year's end. In December a local human rights organization published an open letter in a Lebanese newspaper calling for the closure of the notorious Tadmur prison.

The media broadened somewhat their reporting on regional developments, including the Middle East peace process. The media covered some peace process events factually, but other events were reported selectively to buttress official views. The government-controlled press increased its coverage of official corruption and governmental inefficiency. There are no privately owned newspapers, although foreign-owned, foreign-published newspapers circulate relatively freely. In August 1999, authorities repealed a 5-year ban on entry of Jordanian newspapers (also see Section 1.f.).

The Government or the Ba'th Party owns and operates the radio and television companies and the newspaper publishing houses. The Ministry of Information closely monitors the radio and television news programs to ensure adherence to the government line. The Government does not interfere with broadcasts from abroad. Satellite dishes have proliferated throughout all regions and in neighborhoods of all social and economic categories, and in July the Government officially approved regulations permitting the importation of satellite receivers. Cellular telephone service was introduced early in the year, although prohibitive cost severely limits the number of subscribers. Internet access and access to e-mail is limited, although efforts are underway to provide greater Internet access, especially to universities and businesses. The Government blocks access to selected Internet sites that contain information deemed politically sensitive or pornographic in nature. The Government also blocks access to servers that provide free e-mail services. In 1999 and in September, telephone service to the offices and residences of several European embassies and the home of an American officer was disrupted, allegedly because the lines had been used to access Internet providers outside the country. Telephone service in 1999 was restored in response to diplomatic protest by the European embassies; however, diplomats and citizens continue to experience regular disruptions of telephone service. The Ministry of Culture and National Guidance censors fiction and nonfiction works, including films. It also determines which films may not be shown at the cultural centers operated by foreign embassies. The Government prohibits the publication of books and other materials in Kurdish; however, there are credible reports that Kurdish language materials are available in the country (see Section 5).

The Government restricts academic freedom. Public school teachers are not permitted to express ideas contrary to government policy, although authorities allow somewhat greater freedom of expression at the university level.

b. Freedom of Peaceful Assembly and Association.—Freedom of assembly does not exist under the law. Citizens may not hold demonstrations unless they obtain permission from the Ministry of Interior. Most public demonstrations are organized by the Government or the Ba'th Party. The Government selectively applied the law during the year, permitting some demonstrations. The Government applies the re-

strictions on public assembly in Palestinian refugee camps, where controlled demonstrations have been allowed.

In October there were numerous demonstrations, most of which were permitted or organized by the Government, and some of which were directed against diplomatic missions and international agencies in reaction to the Israeli Government's use of force against Palestinians in Israel, the West Bank, and Gaza. On October 4, police did not take adequate steps to protect diplomatic property during a violent demonstration. However, during a subsequent violent demonstration on October 6, police used tear gas, shields, batons, and threats of lethal force to disperse rock-throwing demonstrators and protect diplomatic property. Observers stated that the police acted with restraint. About 50 police personnel and numerous demonstrators were injured in the demonstration (see Section 1.c.). The Government subsequently permitted additional demonstrations with a significant security force presence; such demonstrations remained peaceful.

In November there were large demonstrations in Suwayda province following violent clashes between Bedouin shepherds and Druze residents of the province (see Sections 1.a., 1.c., and 5).

The Government restricts freedom of association. Private associations must be registered with the Government in order to be considered legal. Some groups have not been able to register, presumably because the Government views them as political, even though the groups presented themselves as cultural or professional associations. Unregistered groups generally may not hold meetings; however, there are credible reports that several domestic human rights organizations and civil society groups held regular meetings during the year. The Government usually grants registration to groups not engaged in political or other activities deemed sensitive. The authorities do not allow the establishment of independent political parties.

In 1980 the Government dissolved, and then reconstituted under its control, the executive boards of professional associations after some members staged a national strike and advocated an end to the state of emergency. The associations have not been independent since that time and generally are led by members of the Ba'th Party, although nonparty members may serve on their executive boards. It is not known whether any persons detained in 1980 crackdowns on union and professional association officials remain in detention (see Sections 1.d. and 6.a.).

c. Freedom of Religion.—The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes restrictions in some areas. The only advantage given to a particular religion by the Constitution is the requirement that the President be a Muslim. There is no official state religion; Sunni Muslims constitute the majority of the population.

All religions and orders must register with the Government, which monitors fund raising and requires permits for all meetings by religious groups, except for worship. Recognized religious groups receive free utilities and are exempt from real estate taxes and taxes on official vehicles. There is a strict de facto separation of church and state. Religious groups tend to avoid any involvement in internal political affairs. The Government, in turn, generally refrains from becoming involved in strictly religious issues.

The Government considers militant Islam a threat to the regime and follows closely the practice of its adherents. The Government has allowed many new mosques to be built; however, sermons are monitored and controlled, and mosques are closed between prayers.

There were credible reports of large-scale arrests of Syrian and Palestinian Islamists affiliated with the Muslim Brotherhood and the Islamic Salvation Party in late 1999 and early 2000. Some of the Islamist prisoners reportedly were tortured in detention. A number of these prisoners reportedly were released during the year (see Sections 1.c. and 1.d.).

Although the law does not prohibit proselytizing, the Government discourages such activity in practice, particularly when it is deemed a threat to the generally good relations among religious groups. Foreign missionary groups are present but operate discreetly. The Government banned Jehovah's Witnesses as a politically-motivated Zionist organization in 1964.

Officially all schools are government-run and nonsectarian, although some schools are run in practice by Christian, Druze, and Jewish minorities. There is mandatory religious instruction in schools, with government-approved teachers and curriculums. Religion courses are divided into separate classes for Muslim, Druze, and Christian students. Jews have a separate primary school, which offers religious instruction in Judaism, in addition to traditional subjects. Although Arabic is the official language in public schools, the Government permits the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean in some schools on the basis that these are "liturgical languages."

Religious groups are subject to their respective religious laws on marriage, divorce, child custody, and inheritance (see Section 5).

Government policy officially disavows sectarianism of any kind. However, in the case of the Alawis, religion can be a contributing factor in determining career opportunities. For example, members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population, which is estimated to be 12 percent (see Section 3).

For primarily political rather than religious reasons, Jews generally are barred from government employment and do not have military service obligations. Jews also are the only religious minority group whose passports and identity cards note their religion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government limits freedom of movement. The Government restricts travel near the Golan Heights. Travel to Israel is illegal. In November 1999, the Government eased many of its travel restrictions, which made it easier for most citizens to travel abroad. In December the Government lifted the ban on travel to Iraq. Exit visas generally no longer are required for women, men over 50 years old, and citizens living abroad. In the past, individuals have been denied permission to travel abroad on political grounds, although government officials deny that this practice occurs. The authorities may prosecute any person found attempting to emigrate or travel abroad illegally, or who is suspected of having visited Israel. Women over the age of 18 have the legal right to travel without the permission of male relatives. However, a husband may file a request with the Ministry of Interior to prohibit his wife's departure from the country (see Section 5). The Government's use of police checkpoints has been reduced (see Section 1.f.).

In July the Government announced that emigres who did not complete mandatory military service can pay a fee to avoid being conscripted while visiting the country.

In November the Government temporarily sealed access to parts of Suwayda province for several weeks to nonresidents following violent clashes between resident Druze and Bedouin shepherds (see Section 5).

As of June 383,199 Palestinian refugees were registered with the United Nations Relief and Works Agency (UNRWA) in the country. In general Palestinian refugees no longer report unusual difficulties travelling in and out of the country, as was the case in the past. The Government restricts entry by Palestinians who are not resident in the country. The Government does not allow Palestinian residents of Gaza to visit the country.

Citizens of any Arab country may enter the country without a visa. However, citizens of Iraq, Sudan, and Somalia must demonstrate that they have an invitation from a business or individual citizen.

There are no laws with provisions for dealing with refugees and asylees in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. The Government cooperates on a case-by-case basis with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum but is selective about extending protection to refugees; approximately 2,455 persons sought asylum through the UNHCR during the first 9 months of the year. Although the Government denied any forced repatriation of those who may have had a valid claim to refugee status, in 1998 it apparently forcibly repatriated Iraqi, Somali, Algerian, and Libyan refugees. As of August 1999, there were an estimated 21,319 non-Palestinian refugees in the country, of whom about 3,962 were receiving assistance from the UNHCR, including 1,315 refugees of Iraqi origin.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Although citizens ostensibly vote for the President and Members of Parliament, they do not have the right to change their government. The late President Hafiz Al-Asad was confirmed by unopposed referenda five times after taking power in 1970. His son, Bashar Al-Asad, also was confirmed by an unopposed referendum in July. Political opposition to the President is not tolerated. The President and his senior aides, particularly those in the military and security services, ultimately make most basic decisions in political and economic life, with a very limited degree of public accountability. Moreover, the Constitution mandates that the Ba'th Party is the ruling party and is ensured a majority in all government and popular associations, such as workers' and women's groups. Six smaller political parties also are permitted and, along with the Ba'th Party, make up the National Progressive Front (NPF), a grouping of parties that represents the sole framework of legal political party participation for citizens. While created ostensibly to give the appearance of a multiparty system, the NPF is dominated by the Ba'th Party and does not change

the essentially one-party character of the political system. Non-Ba'th Party members of the NPF exist as political parties largely in name only and conform strictly to Ba'th Party and government policies. There were reports in the regional Arab media that the Government is considering legislation to expand the NPF to include new parties and several parties previously banned.

The Ba'th Party dominates the Parliament, which is known as the People's Council. Although parliamentarians may criticize policies and modify draft laws, the executive branch retains ultimate control over the legislative process. Since 1990 the Government has allowed independent non-NPF candidates to run for a limited allotment of seats in the 250-member People's Council. The current number of non-NPF deputies is 83, ensuring a permanent absolute majority for the Ba'th Party-dominated NPF. Elections for the 250 seats in the People's Council last took place in 1998.

The Government is headed by a Cabinet, which the President has the discretion to change. In March former President Hafez Al-Asad accepted the resignations of all of the members of his Cabinet who resigned because the late President reportedly believed that the change would improve government and economic performance. On March 13, the late President appointed a new Cabinet consisting of 36 ministers; 26 Ba'th Party members, 6 NPF ministers, and 4 "independents" aligned with the Government.

Persons who have been convicted by the State Security Court may be deprived of their political rights after they are released from prison. Such restrictions include a prohibition against engaging in political activity, the denial of passports, and a bar on accepting government jobs and some other forms of employment. The duration of such restrictions may last from 10 years to the remainder of the former prisoner's life. The Government contends that this practice is mandated by the Penal Code; it has been in effect since 1949.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see Section 5), participate in the political system without restriction. Nonetheless, women are underrepresented in Government. There are 2 female cabinet ministers and 26 female Members of Parliament.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not allow the existence of local human rights groups. One or two human rights groups once operated legally but subsequently were banned by the Government. However, there are credible reports that several domestic human rights organizations and civil society groups met regularly during the year.

Amnesty International (AI) visited Syria for 2 weeks in 1997, the second major visit by an international human rights organization (after a Human Rights Watch visit in 1995). These were the first such meetings held by government officials with an international human rights organization. There have been no such meetings since.

As a matter of policy, the Government in its exchanges with international groups denies that it commits human rights abuses. It has not permitted representatives of international organizations to visit prisons. The Government states that it now responds in writing to all inquiries from NGO's regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee established expressly for that purpose. Human Rights Watch reported in 1997 that the Government had not responded to its request to account publicly for the possibly thousands of citizens who were executed at Tadmur prison in the 1980's. The Government usually responds to queries from human rights organizations and foreign embassies on specific cases by claiming that the prisoner in question has violated national security laws.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights and equal opportunity for all citizens. In practice membership in the Ba'th Party or close familial relations with a prominent party member or government official can be important for economic, social, or educational advancement. Party or government connections can pave the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the Government, the military, and the security services. Certain prominent positions, such as that of provincial governor, are reserved solely for Ba'th Party members. Apart from some discrimination against Kurds, there are no apparent patterns of systematic government discrimination based on race, sex, religion, disability, language, or social status. However, there are varying degrees of societal discrimination in each of these areas.

Women.—Violence against women occurs, but there are no reliable statistics regarding the prevalence of domestic violence or sexual assault. The vast majority of cases likely are unreported, and victims generally are reluctant to seek assistance outside the family. There are no laws against spousal rape. One preliminary academic study suggested that domestic violence is the largest single reason for divorces, and that such abuse is more prevalent among the less-educated and person who live in rural areas. Battered women have the legal right to seek redress in court, but few do so because of the social stigma attached to such action. The Syrian Women's Federation offers services to battered wives to remedy individual family problems. The Syrian Family Planning Association also attempts to deal with this problem. Some private groups, including the Family Planning Association, have organized seminars on violence against women, which were reported by the government press. There are no specifically designated shelters or safe havens for battered women who seek to flee their husbands.

The Constitution provides for equality between men and women and equal pay for equal work. Moreover, the Government has sought to overcome traditional discriminatory attitudes toward women and encourages women's education. However, the Government has not yet changed personal status, retirement, and social security laws that discriminate against women. Christians, Muslims, and other religious groups are subject to their respective religious laws on marriage, divorce, and inheritance (see Section 2.c.). In addition some secular laws discriminate against women. For example, under criminal law, the punishment for adultery is twice that as for the same crime committed by a man. "Honor" crimes (a euphemism that refers to violent assaults with intent to murder against a female by a male for alleged sexual misconduct) do occur.

For Muslims personal status law on divorce is based on Shari'a (Islamic law), and some of its provisions discriminate against women. For example, husbands may claim adultery as grounds for divorce, but wives face more difficulty in presenting the same argument. If a woman requests a divorce from her husband, she may not be entitled to child support in some instances. In addition under the law a woman loses the right to custody of boys when they reach age 9 and girls at age 12.

Inheritance for Muslims is based on Shari'a. Accordingly Muslim women usually are granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. For example, a brother who inherits an unmarried sister's share from their parents' estate is obligated to provide for the sister's well-being. If the brother fails to do so, she has the right to sue.

Polygyny is legal but is practiced only by a small minority of Muslim men.

A husband may request that his wife's travel abroad be prohibited (see Section 2.d.). Women generally are barred from travelling abroad with their children unless they are able to prove that the father has granted permission for the children to travel.

Women participate actively in public life and are represented in most professions, including the military. Women are not impeded from owning or managing land or other real property. Women constitute approximately 7 percent of judges, 10 percent of lawyers, 57 percent of teachers below university level, and 20 percent of university professors.

Children.—There is no legal discrimination between boys and girls in school or in health care. Education is compulsory for all children, male or female, between the ages of 6 and 12. According to the Syrian Women's Union, about 46 percent of the total number of students through the secondary level are female.

Nevertheless, societal pressure for early marriage and childbearing interferes with girls' educational progress, particularly in rural areas, where dropout rates for female students remain high.

The law emphasizes the need to protect children, and the Government has organized seminars on the subject of child welfare. Although there are cases of child abuse, there is no societal pattern of abuse against children. The law provides for severe penalties for those found guilty of the most serious abuses against children.

People with Disabilities.—The law prohibits discrimination against the disabled and seeks to integrate them into the public sector work force. However, implementation is spotty. Regulations reserving 2 percent of government and public sector jobs for the disabled are not implemented rigorously. The disabled do not have recourse to the courts regarding discrimination. There are no laws that mandate access to public buildings for the disabled. The Minister of Social Affairs announced plans during the year to offer vocational training for disabled persons through local NGO's and to mandate that the Government hire 4 percent of its workforce from the disabled population.

Religious Minorities.—Although there is significant religious tolerance, religion or ethnic affiliation can be a contributing factor in determining career opportunities. For example, members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population. Nevertheless, government policy officially disavows sectarianism.

There generally is little societal discrimination or violence against religious minorities, including Jews. However, on October 12, a group of Palestinians threw bricks, stones, and Molotov cocktails at a synagogue in Damascus, apparently in reaction to the Israeli Government's use of force against Palestinians in the occupied territories. No one was injured in the attack; however, the synagogue was damaged slightly and was closed for approximately 1 month. The Government took immediate steps to ensure that the Jewish community would be protected from further attacks, including arresting the perpetrators and posting guards around synagogues and the Jewish quarter of Damascus.

National/Racial/Ethnic Minorities.—The Government generally permits national and ethnic minorities to conduct traditional, religious, and cultural activities. However, the Government's attitude toward the Kurdish minority is a significant exception to this policy. Although the Government contends that there is no discrimination against the Kurdish population, it has placed limits on the use and teaching of the Kurdish language. It also restricts the publication of books and other materials written in Kurdish (see Section 2.a.), Kurdish cultural expression, and, at times, the celebration of Kurdish festivals. The Government tacitly accepts the importation and distribution of Kurdish language materials, particularly in the northeast region in which most of the Kurds in the country reside. Some members of the Kurdish community have been tried by the Supreme State Security Court for expressing support for greater Kurdish autonomy or independence. Although the Asad Government stopped the previous practice of stripping Kurds in Syria of their Syrian nationality (some 120,000 lost Syrian nationality under this program in the 1960's), it never restored their nationality. As a result, those who had lost their nationality and their children have been unable to obtain Syrian nationality and passports, or even identification cards and birth certificates. Without Syrian nationality, these stateless Kurds, who according to UNHCR estimates number about 200,000, are unable to own land, are not permitted to practice as doctors or engineers or be employed by the Government, are ineligible for admission to public hospitals, and have no right to vote, according to Human Rights Watch. They also encounter difficulties in enrolling their children in school. Stateless Kurdish men legally may not marry Syrian citizens.

In November there were violent clashes in Suwayda province, reportedly stemming from a longstanding dispute between Bedouin shepherds and Druze residents over grazing and property rights. There were large demonstrations following the killings (see Section 2.b.). The Government deployed 5,000 army troops and sealed off the area with military checkpoints, temporarily preventing nonresidents from entering the Suwayda province (see Section 2.d.). A number of Druze, Bedouin, and security force personnel were killed and injured during the clashes.

Section 6. Worker Rights

a. The Right of Association.—Although the Constitution provides for this right, workers are not free to establish unions independent of the Government. All unions must belong to the General Federation of Trade Unions (GFTU), which is dominated by the Ba'th Party and is in fact a part of the State's bureaucratic structure. The GFTU is an information channel between political decisionmakers and workers. The GFTU transmits instructions downward to the unions and workers but also conveys information to decisionmakers about worker conditions and needs. The GFTU provides the Government with opinions on legislation, organizes workers, and formulates rules for various member unions. The GFTU president is a senior member of the Ba'th Party. He and his deputy may attend cabinet meetings on economic affairs. The GFTU controls nearly all aspects of union activity.

The law does not prohibit strikes, except in the agricultural sector. Nevertheless, workers are inhibited from striking because of previous government crackdowns on strikers. In 1980 the security forces arrested many union and professional association officials who planned a national strike. Some of them are believed to remain in detention, either without trial or after being tried by the State Security Court (see Sections 1.d. and 2.b.).

The GFTU is affiliated with the International Confederation of Arab Trade Unions.

In 1992 Syria's eligibility for tariff preferences under the U.S. Generalized System of Preferences was suspended because the Government failed to take steps to afford internationally recognized worker rights to workers.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively does not exist in any meaningful sense. Government representatives are part of the bargaining process in the public sector. In the public sector, unions do not normally bargain collectively on wage issues, but there is some evidence that union representatives participate with representatives of employers and the supervising ministry in establishing minimum wages, hours, and conditions of employment. Workers serve on the boards of directors of public enterprises, and union representatives always are included on these boards.

The law provides for collective bargaining in the private sector, but any such agreement between labor and management must be ratified by the Minister of Labor and Social Affairs, who has effective veto power. The Committee of Experts of the International Labor Organization (ILO) has long noted the Government's refusal to abolish the Minister's power over collective contracts.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and may ask for binding arbitration. In practice labor and management representatives settle most disputes without resort to legal remedies or arbitration. Management has the right to request arbitration, but this right seldom is exercised. Arbitration usually occurs when a worker initiates a dispute over wages or severance pay.

Since the unions are part of the Government's bureaucratic structure, they are protected by law from antiunion discrimination. There were no reports of antiunion discrimination.

There are no unions in the seven free trade zones. Firms in the zones are exempt from the laws and regulations governing hiring and firing, although they must observe some provisions on health, safety, hours, and sick and annual leave.

c. Prohibition of Forced or Compulsory Labor.—There is no law prohibiting forced or compulsory labor, including that performed by children. There were no reports of forced labor involving children or foreign or domestic workers. Forced labor has been imposed as a punishment for some convicted prisoners.

d. Status of Child Labor Practices and Minimum Age for Employment.—The 1959 Labor Law protects children from exploitation in the workplace. Independent information and audits on government enforcement are not available. Although it is not prohibited by law, there were no reports of coerced or bonded labor (see Section 6.c.) due to the relative ease with which a work permit may be obtained. In December the Parliament approved legislation that raises the private sector minimum age for employment from 12 to 15 years for most types of nonagricultural labor, and from 16 to 18 years for heavy work. In all cases, parental permission is required for children under the age of 16. The law prohibits children from working at night. However, all these laws apply only to children who work for a salary. Those who work in family businesses and are not technically paid a salary—a common phenomenon—do not fall under the law. The Government claims that the expansion of the private sector has led to more young children working. Education is compulsory for all children, male or female, between the ages of 6 and 12.

The Ministry of Labor and Social Affairs monitors employment conditions for persons under the age of 18, but it does not have enough inspectors to ensure compliance with the laws. The Ministry has the authority to specify the industries in which children 15 and 16 years of age may work. The majority of children under age 16 who are working do so for their parents in the agricultural sector without remuneration. The ILO report found that 10.5 percent of children under the age of 18 participate in the labor force, which amounts to 4.7 percent of the total work force. Working hours for youths of legal age to work do not differ from those established for adults. Children under the age of 16 are prohibited by law from working in mines, at petroleum sites, or in other dangerous fields. Children are not allowed to lift, carry, or drag heavy objects. The exploitation of children for begging purposes also is prohibited. The Labor Inspection Department performs unannounced spot checks of employers on a daily basis to enforce these regulations; however, the scope of these checks is unknown.

e. Acceptable Conditions of Work.—The Minister of Labor and Social Affairs is responsible for enforcing minimum wage levels in the public and private sectors. In August the Government increased public sector minimum wages by 25 percent to \$57 (2,664 Syrian pounds) per month, plus other compensation (for example, meals, uniforms, and transportation). In October the Government increased private sector minimum wages by 25 percent to \$53 (2,425 Syrian pounds) per month in urban areas and \$49 (2,237 Syrian pounds) in rural areas. These wages still do not provide a decent standard of living for a worker and family. As a result, many workers in both the public and private sectors take additional jobs or are supported by their extended families. In the past, a committee of labor, management, and government

representatives submitted recommended changes in the minimum wage to the Minister, and private sector salary increases matched those in the public sector.

The statutory workweek for administrative staff is 6 days of 6 hours each, and laborers work 6 days a week of 8 hours each. In some cases a 9-hour workday is permitted. The laws mandate 1 24-hour rest day per week. Rules and regulations severely limit the ability of an employer to dismiss employees without cause. Even if a person is absent from work without notice for a long period, the employer must follow a lengthy procedure of trying to find the person and notify him, including through newspaper notices, before he is able to take any action against the employee. Dismissed employees have the right to appeal before a committee of representatives from the union, management, the Ministry of Labor and Social Affairs, and the appropriate municipality. Such committees usually find in favor of the employee. Dismissed employees are entitled to 80 percent of salary benefits while the dispute is under consideration. No additional back wages are awarded should the employer be found at fault, nor are wage penalties imposed in cases where the employer is not found at fault. The law does not protect temporary workers who are

tion of basic health care. The Government devotes over 60 percent of the budget to social and development goals.

The Government generally respected the rights of its citizens in some areas, particularly regarding the rights of women and children, and it also took modest steps to allow a greater diversity of views in the media; however, the Government's record remained poor in other areas, and significant problems remain. There are significant limitations on citizens' right to change their government. The ruling RCD Party is firmly intertwined with government institutions throughout the country, making it extremely difficult for opposition parties to compete on a level playing field. The October 1999 presidential and legislative elections marked a modest step toward democratic development, with opposition presidential candidates allowed to run for the first time, and opposition parties generally freer to campaign; however, while observers agree that the outcome of the elections generally reflected the will of the electorate, the campaign and election processes greatly favored the ruling party, and there was wide disregard for the secrecy of the vote, in which Ben Ali won 99.44 percent of the ballots cast for President.

There were reports of two extrajudicial killings by police. Members of the security forces tortured and physically abused prisoners and detainees. The Government asserts that police officials who commit abuses are disciplined, but there have been no documented cases in which security officials were disciplined for such abuse. Prison conditions range from Spartan to poor. Security forces arbitrarily arrest and detain persons. Lengthy pretrial detention and incommunicado detention are problems. Provisions enacted in 1999 to lower the maximum incommunicado detention period and require authorities to notify family members at the time of arrest are not enforced evenly. The judiciary is subject to executive branch control, lengthy delays in trials are a problem, and due process rights are not always observed; however, in July the Government set up a new court to oversee the proper administration of sentences. The Government infringed on citizens' privacy rights, including by intercepting mail and interfering with Internet communication. Security forces also monitored the activities of government critics and at times harassed them, their relatives, and associates.

The Government continued to impose significant restrictions on freedom of speech and of the press, although there was limited easing of press restrictions during the year. Journalists practice selfcensorship. The Government demonstrated a pattern of intolerance of public criticism, using criminal investigations, judicial proceedings, and travel controls (including denial of passports) to discourage criticism and limit the activities of human rights activists. The Government continued to use the mandatory prescreening of publications and control of advertising revenue as a means to discourage newspapers and magazines from publishing material that it considered undesirable. The Government regularly seized editions of foreign newspapers containing articles that it considered objectionable. However, the Government eased its restrictions somewhat in a few areas; several foreign journals returned to newsstands during the year after being banned from sale following articles critical of the October 1999 presidential and legislative elections. The Government also improved access to the Internet and continued to broadcast a monthly public affairs program that permitted citizens to debate issues with government officials. The Government restricts freedom of assembly and association. The Government limits partially the religious freedom of members of the Baha'i faith. The Government does not permit proselytizing. The Government continued to restrict the freedom of movement of government critics and their family members. The Government subjected members of the Tunisian Human Rights League (LTDH) and other human rights activists to harassment, interrogation, property loss or damage, and denial of passports. The Government closed the headquarters of the LTDH on November 27 and replaced its board with a judicial administrator pending a scheduled January 2001 hearing. Four LTDH members filed a complaint that the LTDH's national congress elections that were held in October did not follow LTDH by-laws and were illegal. The Government barred meetings by LTDH board members in the interim. The Government continued to meet with the LTDH, but still refused to approve the registration of the National Council for Liberties (CNLT) nongovernmental organization (NGO) and continued to prosecute CNLT members. CNLT spokesman Moncef Marzouki was sentenced to a 1-year prison term for maintaining an illegal organization and distribution of false news for writing a paper for a human rights conference held in Morocco that criticized the Government's National Solidarity Fund charity for lack of transparency. The Government permitted observers from several international human rights groups to attend trials of human rights activists. Violence against women occurs. The Government continued to demonstrate its strong support for the rights of women and children; however, legal discrimination against women continued to exist in certain areas, such as property and inheritance law, which is gov-

erned by Shari'a (Islamic law), and societal discrimination exists in areas such as private sector employment. The Government took strong measures to reduce official discrimination, including equal opportunity for women as a standard part of its audits of all governmental entities and state-owned enterprises; however, such measures are not extended to the private sector. Child labor persists. Child labor continues to decline, due principally to government efforts to address the problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political killings; however, there were reports of a few extrajudicial killings by members of the security forces.

According to the LTDH, on August 9 motorcycle police officers kicked and beat Chaker Azouzi to death for failure to stop for police. The Government stated that the police officer implicated in Azouzi's death is being held pending a judicial investigation.

According to an LTDH communique, Riadh Ben Mohamed J'day was beaten to death while he was held in police detention on September 17. The Government claimed that J'day committed suicide by hanging himself by his shirt from the bars in his cell, and that he died on the way to the hospital.

The LTDH reported that El-Aid Ben Salah's cellmates beat him to death on June 10 and that, despite his cries, prison guards did nothing to save him. The Government stated that it has opened an investigation into Ben Salah's death.

There was no progress in the investigation of the 1999 case of Tahar Jelassi, who reportedly died as a result of torture by prison guards for refusing to take off his clothes during a routine search at Grombalia prison.

There were no developments during the year in the case of former Islamist Tijani Dridi, who allegedly died in police custody in 1998. The Government maintains that Dridi died on July 21 from injuries sustained the previous day in a motorcycle collision.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Penal Code prohibits the use of torture and other cruel, inhuman, or degrading treatment or punishment; however, security forces routinely used various methods of torture to coerce confessions from detainees. The forms of torture included electric shock; submersion of the head in water; beatings with hands, sticks, and police batons; cigarette burns; and food and sleep deprivation. Police also reportedly utilized the "rotisserie" method: Stripping prisoners naked, manaculating their wrists behind their ankles, and beating the prisoners while they were suspended from a rod. A 1999 CNLT report on prison conditions described other forms of torture, including the *falaqa*, which consists of suspending a prisoner by the feet and severely beating the soles of the feet; suspension of a prisoner from the metal door of his cell for hours on end until the prisoner loses consciousness; and confinement of the prisoner to the "cachot," a tiny, unlit cell. LTDH vice president Khemais Ksila, who was released from prison in 1999, and the CNLT both reported cases in which prisoners committed self-mutilation in prisons to protest conditions and then, as punishment, prison authorities sutured the prisoners' self-inflicted wounds without anesthesia and put them into isolation or into "cachot." In the April 28 trial of Jallel Ben Brik Zoghلامي, the brother of journalist Taoufik Ben Brik, presiding judges did not incorporate allegations of police brutality in their summary statements (which serve as the trial record), and refused to open an investigation into Zoghلامي's claim that on April 26 police officers beat Zoghلامي (breaking his nose), Sihem Bensedrine, Taieb Nooman, and Ali Ben Salem while holding them in detention (see Sections 1.d. and 1.e.). The four claimed that they were made to lay prostrate at a police station in the El-Manar suburb of Tunis while police stomped and kicked them, and that they subsequently filed a complaint of police brutality, which the judge refused to accept.

According to Amnesty International (AI) and defense attorneys, the courts routinely fail to investigate allegations of torture and mistreatment and have accepted as evidence confessions extracted under torture. In the April trial of Ahmed Amari and 23 others for membership in the illegal Islamist organization An-Nahda, the presiding judges refused to investigate the claim by defendants that their confessions were extracted under torture, including a claim by Amari's attorney that he still bore physical signs of torture (see Sections 1.d. and 1.e.).

In a November 1998 report, the U.N. Committee Against Torture recommended that the Government reduce the prearrest incommunicado detention period from 10 days to 48 hours, noting that most abuses occur during incommunicado detention. In August 1999, in order to address U.N. concerns, the Government enacted

amendments to the Penal Code, which adopted the U.N. definition of torture, instructed police to inform detainees of their rights, including, notably, the right of a defendant to demand a medical examination while in detention, and increased the maximum penalty for those convicted of committing acts of torture from 5 to 8 years. In 1999 the Government also shortened the maximum allowable period of prearrest incommunicado detention from 10 to 6 days and added a requirement that the police notify suspects' families on the day of their arrest. However, credible sources claimed that the Government rarely enforces the new provisions. In its annual report for 2000, Human Rights Watch stated that despite the reduction of incommunicado detention from 10 to 6 days, torture continued to be a problem, due to a climate of impunity "fostered by a judiciary that ignored evidence of torture and routinely convicted defendants on the basis of coerced confessions." In its March 2000 report on torture, the CNLT stated that "torture continues to be practiced on a large scale" and affects not only political prisoners but common criminals as well.

Human rights advocates maintain that charges of torture and mistreatment are difficult to substantiate because government authorities often deny medical examinations until evidence of abuse has disappeared. The Government maintained that it investigates all complaints of torture and mistreatment filed with the prosecutor's office and claimed that alleged victims sometimes publicly accused authorities of acts of abuse without taking the steps required to initiate an investigation. However, the CNLT stated in its March report on torture that police often refuse to register complaints and judges dismiss complaints lodged by alleged victims of torture with little or no investigation. For example, Abdelmounim Belanas, who was convicted in 1999 of membership in the Tunisian Communist Workers Party (PCOT) and was released in June, claimed that he filed two complaints against the Government for torture that he was subjected to in 1995, 1997, and 1999, but that both of his complaints were dismissed (see Sections 1.e., 2.b. and 4). Absent a formal complaint, the Government may open an administrative investigation but is unlikely to release the results to the lawyers of affected prisoners. There have been no documented cases in which security officials were disciplined for such abuse.

Eight alleged members of the Islamist organization Ansar were convicted on November 24 and received sentences ranging from 3 to 17 years, largely on the basis of confessions that they claimed had been extracted under torture and on the testimony of a single government witness (see Section 1.d.).

There were reports that security forces severely beat students during demonstrations in the south in February (see Section 2.b.). Credible sources reported that security forces beat university students during pro-Palestinian demonstrations in the greater Tunis area in October (see Sections 2.b.).

Credible sources reported that plainclothes policemen beat French, Algerian, and Moroccan journalists when they attempted to attend a press conference at the home of journalist Taoufik Ben Brik in April (see Section 2.a.). On April 25, police attacked human rights activists and attorneys as they left the Saint Augustin Clinic where Ben Brik was holding a hunger strike (see Sections 1.d., 2.a., and 4). Police beat LTDH vice presidents Fadhel Ghedamsi and Khemais Ksila, Ksila's wife Fatma, attorney Chawki Tabib, and CNLT member Omar Mestiri in the attack. Khemais Ksila suffered a fractured vertebra and his wife suffered bruises to her back as she attempted to stop police from beating her husband, who was knocked unconscious from blows to the top of his spinal column. Attorneys claimed that they filed a complaint but that the judge refused to accept it. PCOT member Mohamed Hedi Sassi claimed that security police attacked and beat him in July outside his home and again in August after stopping his car. CNLT members Omar Mestiri and Mohamed Bechir claimed that in December plainclothes policemen beat them in front of the Ministry of Health, where they attempted to lodge a formal protest of CNLT spokesman Moncef Marzouki's July dismissal. Mestiri claimed that policemen drove him 60 kilometers from Tunis and dropped him by the side of the road without money, papers, or his glasses, and left him to return on foot. Sources also claimed that Nejib Hosni and Raouf Ayadi had been hit and slapped by plainclothes police, who prevented them from entering the CNLT headquarters in December (see Sections 1.f. and 4).

According to defense attorneys and former prisoners, prison conditions ranged from Spartan to poor and, in some cases, did not meet minimum international standards. Credible sources reported that overcrowding continued to be a serious problem, with 40 to 50 prisoners typically confined to a single 194-square-foot cell, and up to 140 prisoners held in a 323-square-foot-cell. In a September 19 trial of 36 defendants who were charged with belonging to the illegal Islamist organization An-Nahda, Zouier Yacoub stated that during his 3.5 year pretrial detention, he was confined with 270 inmates, who shared 1 toilet and 1 sink, in a 323-square-foot cell

(see Section 1.d.). Defense attorneys reported that prisoners in the 9th of April prison in Tunis were forced to share a single water and toilet facility with their cellmates, creating serious sanitation problems, and credible sources report that prison barbers use a single razor blade to shave every 10 prisoners.

There were credible reports that conditions and prison rules were harsher for political prisoners than for the general prison population. One credible report alleged the existence of special cell blocks and prisons for political prisoners, in which they might be held in solitary confinement for months at a time. Another credible source reported that high-ranking leaders of the illegal An-Nahda Islamist movement have been held in solitary confinement since 1991. Other sources alleged that political prisoners regularly were moved among jails throughout the country, thereby making it more difficult for the prisoners' families to deliver food to the prisoners. One prisoner reported that he was moved 3 times while serving his 6-month sentence; another reported serving his sentence in 10 different jails in 3 years. The wife of Taoufik Chaieb (who was released following a presidential pardon in August after serving a 4-year prison term for membership in the illegal An-Nahda party) claimed that her husband was transferred to five prisons during his 4-year prison term. The CNLT report alleged that inmates are instructed to isolate newly arrived political prisoners and are punished severely for any contact with them. Fethi Chemki, the president of the Assembly for an Alternative to International Development (RAID), who was convicted in June of defamation for printing a CNLT report on prisons, claimed that he was confined to a bunk bed located besides the cell's lavatories and isolated by other prisoners, except those prisoners who were instructed to provoke fights (see Sections 1.e, 2.a. and 4). Other prisoners, including LTDH vice president Khemais Ksila, alleged that the authorities limited the quantity and variety of food that families of political prisoners could bring to supplement prison fare.

Former National High Commissioner for Human Rights Rachid Driss, whose former organization is government-funded, had conducted bimonthly, unannounced prison inspections since 1996. Although Driss has declared that prison conditions and prisoner hygiene were "good and improving," details of his inspections were not made public. Driss was replaced in December by Zakaria Ben Mustapha, a former Minister of Cultural Affairs.

The Government does not permit international organizations or the media to inspect or monitor prison conditions. The LTDH announced in a 1999 communique that it had been granted permission to resume prison visits; however, it made no visits during the year, and the Government's willingness actually to allow such visits remained uncertain.

d. Arbitrary Arrest, Detention, or Exile.—Arbitrary arrest and detention remain problems. The law authorizes the police to make arrests without warrants in the cases of suspected felons or crimes in progress. A 1999 Penal Code amendment, provides for a maximum 3-day detention period, renewable once (for a maximum of 6 days) by the prosecutor, thus reducing from 10 days to 6 the time that the Government may hold a suspect incommunicado following arrest and prior to arraignment. The 1999 amendments also require arresting officers to inform detainees of their rights and detainees' families of the arrest at the time of arrest, and to make a complete record of the times and dates of such notifications. Credible sources stated that the new law rarely is enforced with respect to either common criminals or political detainees. Detainees have the right to be informed of the grounds for arrest before questioning and may request a medical examination. However, they do not have a right to legal representation during the 6-day incommunicado detention period. Attorneys, human rights monitors, and former detainees maintain that the authorities illegally extend the maximum limit of pre-arraignment detention by falsifying the date of arrest. Ahmed Amari and 23 other defendants who were extradited from Libya in July 1997 did not appear before a judge until April (see Sections 1.c. and 1.e.).

On April 8, police arrested RAID members Fethi Chemki and Mohamed Chouarbi, as well as Iheb El-Hani, the owner of a photocopy shop, and charged the three with defamation, distribution of false news, disturbing the public order, and belonging to an unrecognized association in connection with their photocopying of the CNLT's March report on torture. The Government reportedly detained hundreds of secondary-level students and other youths in connection with two demonstrations held in February and April (see Sections 2.a. and 2.b.). On April 25, the police arrested CNLT members Jallel Ben Brik Zoghلامي, Sihem Bensedrine, Ali Ben Salem, and Taieb Nooman during an altercation between police and foreign journalists (see Sections 1.c. and 1.e.). The Government subjected the family members of Islamist activists to arbitrary arrest (see Sections 1.f., 2.a., 2.d., 4, and 6.a.).

Detainees have a right to be represented by counsel during arraignment. The Government provides legal representation for indigents. At arraignment the examining

magistrate may decide to release the accused or remand him to pretrial detention. The law permits the release of accused persons on bail, which may be paid by a third party. In cases involving crimes for which the sentence exceeds 5 years or that involve national security, preventive detention may last an initial period of 6 months and be extended by court order for two additional 4-month periods. For crimes in which the sentence may not exceed 5 years, the court may extend the initial 6-month pretrial detention by an additional 3 months only. During this period, the court conducts an investigation, hears arguments, and accepts evidence and motions of both parties. In August 1999, the Government approved a law that gives persons indicted for criminal acts the right to appeal their indictment before the case comes to trial; previously, this right was granted in civil cases only.

A case proceeds from investigation to a criminal court, which sets a trial date. There is no legal limit to the length of time the court may hold a case over for trial, nor is there a legal basis for a speedy hearing. Complaints of prolonged detention of persons awaiting trial were common, and President Ben Ali publicly has encouraged judges to make better use of release on bail and suspended sentences. In a September 19 trial, the attorney for Zouer Yacoub and 35 other defendants extradited from Libya in 1997 and charged with belonging to the illegal Islamist organization An-Nahda claimed that they had been held in pretrial detention for 3.5 years (see Section 1.c.). Detainees Abdelatif Bouhajila, Yassin Ben Zarti, Ridha Ben Ahmed, Fehra Fethi, Sofiane Ben Hamida, Yousef Mourru, and two others charged with conspiring with a foreign Islamist group (Ansar), held 3-month hunger strikes to protest their 26-month long pretrial detentions. All eight were convicted on November 24 and received sentences ranging from 3 to 17 years, largely on the basis of confessions that they claimed had been extracted under torture and on the testimony of a single government witness (see Section 1.c.).

Human rights activists reported that security forces arbitrarily imposed administrative controls on former prisoners following their release from prison. Although the Penal Code contains provisions for the imposition of administrative controls following completion of a prison sentence, only judges have the right to order a former prisoner to register at a police station, and the law limits registration requirements to 5 years. Human rights activists allege that these requirements often are unreasonable and prevent former prisoners from being able to hold a job. Numerous Islamists released from prison in recent years have been subjected to these types of requirements. Radhia Aouididi, who served a 3-year prison sentence for possession of a fraudulent passport (having been refused a passport in 1996 because of her fiancé's membership in An-Nahda), was released from all administrative controls in August. She had been subject to a requirement to sign in daily at a police headquarters 9 miles from her village for a 5-year period following her 1999 release (see Section 2.d.). Defense attorneys reported that some clients must sign in four or five times daily, at times that are determined only the previous evening. When the clients arrive at the police station, they may be forced to wait hours before signing in, making employment impossible and child care difficult. A new court, created by a 1999 law to oversee the proper administration of sentences, began functioning in September. The law allows judges to substitute community service for jail sentences in minor cases in which the sentence would be 6 months or less.

There likely are a sizable number of political detainees, although there is no reliable estimate due to arbitrary government detention practices and the lack of publicly available records of arrests.

The Constitution prohibits forced exile, and the Government observes this prohibition. According to reliable sources, some political opponents in self-imposed exile have been prevented from obtaining or renewing their passports in order to return. However, a Government official stated in June that the Government had returned 200 passports and would return another 600 of citizens living abroad, many of whom have been without a passport for years (see Section 2.d.).

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; however, the executive branch and the President strongly influence the judiciary. In practice the judicial branch is part of the Ministry of Justice and the executive branch appoints, assigns, grants tenure to, and transfers judges. In addition the President is head of the Supreme Council of Judges. This situation renders judges susceptible to pressure in politically sensitive cases.

The court system comprises the regular civil and criminal courts, including the courts of first instance; the courts of appeal; and the Court of Cassation, the nation's highest court; as well as the military tribunals within the Defense Ministry.

Military tribunals try cases involving military personnel and civilians accused of national security crimes. A military tribunal consists of a civilian judge from the Supreme Court and four military judges. Defendants may appeal the tribunal's verdict to the Court of Cassation.

The Code of Procedure is patterned after the French legal system. By law the accused has the right to be present at trial, be represented by counsel, question witnesses, and appeal verdicts. However, in practice judges do not always observe these rights. The law permits trial in absentia of fugitives from the law. Both the accused and the prosecutor may appeal decisions of the lower courts. Defendants may request a different judge if they believe that a judge is not impartial; however, in practice judges do not always permit this. For example, lawyers for Nejib Hosni, who was convicted in December for violating a courtordered 5-year suspension from practicing law, requested that the trial judge recuse himself because, attorneys claimed, he no longer was impartial because he already had found Hosni in violation of the court order the week before. The judge refused the defense's request. The Court of Cassation, which considers arguments on points of law as opposed to the facts of a case, is the final arbiter.

Trials in the regular courts of first instance and in the courts of appeals are open to the public. The presiding judge or panel of judges dominates a trial, and defense attorneys have little opportunity to participate substantively. Defense lawyers contend that the courts often fail to grant them adequate notice of trial dates or allow them time to prepare their cases. Some also reported that judges restricted access to evidence and court records, requiring in some cases, for example, that all attorneys of record examine the court record on one specified date in judges' chambers, without allowing attorneys to copy material documents. For example, in the case of RAID president Fethi Chemki and two others, defense attorneys said that they initially were not permitted access to documents that were the basis of the Government's charge of defamation, then later were permitted to view documents only in the judge's chambers (see Sections 1.c., 2.a., and 4). Defense lawyers also claimed that the judges sometimes refused to allow them to call witnesses on their clients' behalf, or to question key government witnesses. In the trials of both Jallel Ben Brik Zoghlami and Fethi Chemki, judges refused to permit defense attorneys to call witnesses or present evidence on their clients' behalf (see Sections 1.c., 1.d., 2.a., and 4). Lengthy delays in trials also are a problem (see Section 1.d.).

Throughout the year, the Government permitted observers from Amnesty International, the International Human Rights Federation, and other international human rights organizations to monitor trials. The observers reported that the Government permitted them to conduct their work freely (see Section 4). According to credible sources, throughout the year the Government brought correspondents of foreign press services in for questioning for attending and reporting on political trials, and for writing articles critical of the Government in the foreign press (see Section 2.a.).

Amnesty International and defense attorneys report that courts routinely fail to investigate allegations of torture and mistreatment, and have accepted as evidence confessions extracted under torture (see Section 1.c.). In the April trial of Ahmed Amari and 23 others charged with membership in the illegal organization Islamist An-Nahda, the presiding judge refused to investigate allegations of torture, despite defendants' testimony that their confessions were extracted under torture (see Sections 1.c. and 1.d.). Defense lawyers and human rights activists claim that the length of court sessions sometimes prevents reasoned deliberation.

There is no definitive information on the number of political prisoners. Human Rights Watch reported that there might be hundreds of political prisoners convicted and imprisoned for membership in the Islamist group An-Nahda and the Communist Workers Party, for disseminating information produced by these banned organizations, and for aiding relatives of convicted members. Reliable sources estimate that between 600 and 1,400 political prisoners were held in the prisons at the beginning of the year. The Government releases prisoners on national holidays, such as Independence Day or the anniversary of President Ben Ali's accession to power. Several political prisoners were released during the year, including PCOT members Fahem Boukkadous and Abdelmounim Belanas (released on June 10), An-Nahda member Taoufik Chaieb (released on August 30), RAID president and members Fethi Chemki and Mohamed Chouarbi (released conditionally in May after serving 30 days in detention), and Jallel Ben Brik Zoghlami, brother of journalist Taoufik Ben Brik (released in May after serving 19 days in detention) (see Sections 1.c., 1.d., 2.a., 2.b., and 4). However, the Government does not provide details on the numbers or types of prisoners released. President Ben Ali stated in a July 28 speech to members of the RCD ruling party that all prisoners are common criminals convicted of crimes in accordance with the law.

The Government does not permit international humanitarian organizations to visit prisons. In his February report, U.N. Special Rapporteur Abid Hussein stated that the Government did not permit him to visit any prisoners in the 9th of April prison in Tunis but permitted him to visit former Social Democratic Movement

(MDS) secretary general Mohammed Moaada, who at the time was under house arrest and police surveillance pending a government investigation of an alleged meeting between Moaada and An-Nahda leaders in Europe in 1997.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Government infringed on citizens' privacy rights. The Constitution provides for the inviolability of the person, the home, and for the privacy of correspondence, "except in exceptional cases defined by law." The law requires that the police obtain warrants to conduct searches; however, police sometimes ignore the requirement if authorities consider that state security is at stake or that a crime is in progress. For example, human rights activist Mohamed Hedi Sassi claimed that his home was ransacked in January while he was held in police custody for failing to stop for an unmarked police car.

Authorities may invoke state security interests to justify telephone surveillance. There were numerous reports of government interception of fax and computer-transmitted communications. The law does not authorize explicitly these activities, although the Government has stated that the Code of Criminal Procedure implicitly gives investigating magistrates such authority. Many political activists experience frequent and sometimes extended interruptions of residential and business telephone and fax services. Human rights activists accuse the Government of using the 1998 Postal Code, with its broad but undefined prohibition against mail that threatens the public order, to interfere with their mail and interrupt the delivery of foreign publications. Local phone, fax, and copy shops require persons to turn over their identification cards when requesting to send faxes. Lawyers and activists stated that the Government has increased its practice of cutting off telephone service to activists; telephone service to the offices, homes, and relatives of prominent human rights lawyers and other activists frequently was cut off, sometimes for long periods. Human rights lawyer Nejib Hosni claimed that his telephone service has been disrupted since 1994 and human rights lawyer Radhia Nasraoui claimed that her telephone service was disrupted numerous times throughout the year (see Section 4). However CNLT member Moncef Marzouki and journalist Taoufik Ben Brik, who were without telephone service for prolonged periods, reported that their service was reinstated in May.

The security forces monitor the activities of political critics, and sometimes harass, follow, question, or otherwise intimidate their relatives and associates. Members of the CNLT claimed that in December plainclothes police prevented persons from entering the building in which their headquarters were located, including neighbors who lived there (see Sections 1.c. and 4). Police place journalists who write articles critical of the Government, or who are active in human rights organizations, under surveillance (see Section 2.a.).

Human rights activists, lawyers, and other political activists also reported that they were under police surveillance. Lawyer Radhia Nasraoui complained that police frequently follow and intimidate her children. LTDH vice president Khemais Ksila reported that he continued to be subjected to government surveillance and harassment since his release in 1999. Although Ksila's telephone service was reconnected in May, he reported that his mail was monitored and only bills were delivered, and that he has been unable to work since 1996 (see Section 4). On April 10, the Government closed CNLT member Sihem Bensedrine's publishing house, Aloes, and reopened it July 11. The Government stated that it closed the publishing house because it provided a venue for "disruptive activities" when Bensedrine held a meeting in which Taoufik Ben Brik announced his hunger strike to protest his indictment for defamation for articles critical of the Government that he had written and published in the foreign press (see Sections 2.a. and 4). Bensedrine's telephone service was reconnected in July, after being out of service for 15 months, but again was disrupted the week before the December 25 LTDH hearing (see Section 4). Bensedrine reported that her home and family still are under surveillance, but that her children had not recently been the target of government harassment, as had been the case in the past.

Human rights activists alleged that the Government subjected the family members of Islamist activists to arbitrary arrest, reportedly utilizing charges of "association with criminal elements" to punish family members for crimes committed by the activists. For example, one female medical doctor claimed that she has been unemployed since 1997 because police pressure hospitals not to hire her because her husband was convicted of membership in An-Nahda. One man claimed that for 8 years, the Government refused to issue him a passport because his brother was prosecuted for membership in An-Nahda. Human rights activists also alleged that the relatives of Islamist activists who are in jail or living abroad were subjected to police surveillance and mandatory visits to police stations to report their contact with relatives. The Government maintained that the Islamists' relatives were members or associ-

ates of the outlawed An-Nahda movement and that they were correctly subjected to legitimate laws prohibiting membership in or association with that organization. The Government also reportedly refused to issue passports to the family members of some human rights activists, including the wife and children of human rights lawyer Nejib Hosni.

Human rights activists allege that security forces arbitrarily imposed administrative controls on prisoners following their release from prison (see Section 1.d.) and confiscated national identity cards from numerous former prisoners. For example, one man claimed that his national identity card was confiscated when he left prison in June. A credible source claimed that the Government confiscated the national identity cards of as many as 10,000 persons who were either former prisoners convicted of membership in An-Nahda or relatives of An-Nahda members and their sympathizers.

Police presence is heavy throughout the country and traffic officers routinely stop motorists for no apparent reason to examine their personal identification and vehicular documents (see Section 2.d.). The Government regularly prohibited the distribution of some foreign publications (see Section 2.a.). The security forces often question citizens seen talking with foreign visitors or residents, particularly visiting international human rights monitors and journalists (see Section 2.a.). For example, police attempted to remove one man from a public trial for translating for a foreign observer.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of expression and of the press; however, in practice, the Government restricts freedom of speech and of the press. The Government relies upon direct and indirect methods to restrict press freedom and encourage a high degree of self-censorship. The Government also uses the Press Code, which contains broad provisions prohibiting subversion and defamation, to prosecute individuals who express dissenting opinions. In his February 2000 report, U.N. Special Rapporteur Abid Hussain stated that the Government “still has a long way to go to take full advantage of its favorable economic context—and in particular the right to freedom of opinion and expression,” and cited concern over the State’s “control of the national radio and television broadcasting system and the major dailies.” The Government responded to the Special Rapporteur’s report in a May/June *Jeune Afrique* article, stating that the Special Rapporteur’s report “infringes on the rules of ethics that are supposed to preside over missions executed within the framework of special procedures,” and that “the contents of the report confirm the clear impression, even the certainty, that the Special Rapporteur only reproduced allegations propagated by fringe political extremist and Islamic fundamentalist parties.” In a speech before the RCD in July, President Ben Ali stated that although the Government must protect the right of citizens to hold dissenting opinions, those citizens who criticize the country in the international media were “traitors” who would be prosecuted to the full extent of the law.

The Government convicted RAID president Fethi Chemki and member Mohamed Chouarbi of defamation under the Press Code for photocopying a report published by the CNLT (see Sections 1.c., 1.e., 2.a., and 4). Mustapha Ben Jaafar, secretary general of the Democratic Forum, was investigated and detained for questioning in August on charges of defamation and belonging to an unrecognized organization for a communique that he distributed by e-mail, which criticized the Government (see Section 4). The criminal investigation of CNLT members Omar Mestiri and Moncef Marzouki, who were indicted in July 1999 for belonging to an illegal organization, remains pending (see Sections 2.d. and 4). Charges brought against Marzouki in November and December 1999 for defamation, belonging to an unrecognized organization, causing a public disturbance, and dissemination of false information, arising out of Marzouki’s publishing and distributing two communiqués on behalf of the CNLT, remained pending at year’s end (see Section 4). In a separate case, Marzouki was sentenced to a 1-year prison term on December 30 for maintaining an illegal organization and distribution of false news for a paper that he wrote for a human rights conference in Morocco in September, which criticized the Government’s National Solidarity Fund charity for lack of transparency (see Section 4). The criminal investigation of ousted MDS president Mohamed Moaada, which opened in 1997, is ongoing.

The Government imposed a media blackout on coverage of student protests and related arrests in February and in April (see Section 2.a.).

Although several independent newspapers and magazines—including several opposition party journals—exist, the Government relies upon direct and indirect methods to restrict press freedom and encourage a high degree of self-censorship. Primary among these methods is “depot legal,” the requirement that printers and pub-

lishers provide copies of all publications to the Chief Prosecutor, Ministry of Interior, and Ministry of Culture prior to distribution. The Government has not permitted the Tunisian Bar Association to publish its internal bulletin since July 1999. The Government delayed release from depot legal numerous editions of the biweekly magazine *Jeune Afrique* for periods of up to 9 days, and prohibited the sale of the October 24 issue, which contained an article by noted historian and Islamic scholar Mohamed Talbi in which Talbi described dissident journalist Taoufik Ben Brik as a "national hero."

The Government since 1994 has refused to allow Amnesty International's Tunisia chapter to distribute textbooks on human rights written for high school students. However, the RSP party's sporadically published newspaper issued two editions with critical and extensive coverage of human rights issues. In a May statement in *Jeune Afrique*, the Government claimed that depot legal is a "simple formality to preserve national cultural heritage" and is not at all used to prevent all "undesirable publications."

Similarly, distributors must deposit copies of publications printed abroad with the Chief Prosecutor and various ministries prior to their public release. While publishers need not wait for an authorization, they must obtain a receipt of deposit before distribution. On occasion such receipts reportedly are withheld, sometimes indefinitely. Without a receipt, publications may not be distributed legally. For example, publisher Sihem Bensedrine claimed that she deposited a request for publication of *Kalima* magazine in December 1999 and is still awaiting a receipt of filing. The Press Code contains broad provisions prohibiting subversion and defamation, neither of which is defined clearly. The code stipulates fines and confiscation for failure to comply with these provisions. The Government routinely utilized this method to prevent distribution of editions of foreign newspapers and magazines that contained articles critical of the country. For example, the Government prevented distribution of the French publications *Figaro* and *L'Observateur*, which were embargoed until February. *Le Monde*, *Le Canard Enchaîné*, *Le Point*, and *Liberation*, which were banned in October 1999, once again were permitted to distribute copies in August. The *Frankfurter Allgemeine Zeitung* and the *Financial Times* have been banned periodically since the October 1999 elections. The Government also reportedly withheld depot legal to remove from circulation books that it deemed critical of the Government. In addition the Government provided official texts on major domestic and international events and reportedly reprimanded publishers and editors for failing to publish these statements.

The Government also relies on indirect methods, such as newsprint subsidies and control of public advertising revenues, to encourage self-censorship in the media. There were credible reports that the Government withheld advertising orders, a vital source of revenues, from publications that published articles that the Government deemed offensive. According to credible sources, *Le Temps* and *As-Sabbah* were forced to cease publication for 2 weeks in August due to financial problems resulting from the Government's withholding advertising orders.

The Government exerted further control over the media by threatening to impose restrictions on journalists, such as refusing permission to travel abroad, withholding press credentials, and imposing police surveillance on those who wrote articles critical of the Government. Members of the security forces also reportedly questioned journalists regarding the nature of press conferences and other public functions hosted by foreigners that the journalists attended. According to credible sources, the Government throughout the year brought correspondents of foreign press services in for questioning for attending and reporting on political trials, and for writing articles critical of the Government in the foreign press (see Section 1.e.). The Government indicted journalist Taoufik Ben Brik in April for defamation for publishing articles critical of the Government in the foreign press. Charges subsequently were dropped in May after Ben Brik held a 6-week hunger strike (see Sections 1.d., 1.f., 2.a., and 4). Other journalists active in human rights organizations reported that they were under police surveillance for weeks at a time (see Section 1.f.). Two journalists reported that they were fired in July due to government pressure after they wrote articles that the Government deemed offensive.

On May 23, *Le Monde's* Tunisia correspondent, Riadh Ben Fadhl, was shot twice in the shoulder at 6 a.m., the morning after he published an article in *Le Monde* that was critical of President Ben Ali. The official news agency, TAP, reported the shooting in all major newspapers in an article that emphasized discrepancies in Ben Fadhl's testimony, implying that the shooting was a failed suicide attempt. On May 30, President Ben Ali appeared in a front-page photo with Ben Fadhl, accompanied by an article in which Ben Fadhl asked the president to open an official investigation into the shooting. The Government had not announced the result of its investigation by year's end.

Several journalists from Al-Fajr, the publication associated with the outlawed An-Nahda movement, remained in jail, serving sentences that were imposed in the early 1990's. The Government maintains that the arrests, indictments, and convictions were carried out in full accordance with the law.

Visiting foreign journalists sometimes complain of being followed by security officials. The Government confiscated cassette tapes of interviews, notebooks, and the address book of French journalist Daniel Mermet in February as he was departing the country after a week of interviews with members of the human rights community. The Government claimed that Mermet had failed to register his materials upon entering the country. Reliable sources alleged that plainclothes policemen beat French, Algerian, and Moroccan journalists and confiscated cameras and film when the journalists attempted to attend a press conference at the home of journalist Taoufik Ben Brik in April (see Sections 1.c., 1.d., 1.e., and 1.f.).

On May 3, for the third year in a row, the Committee to Protect Journalists named President Ben Ali as one of its "10 worst enemies of the press." In its Report 2000, Reporters Sans Frontieres stated that "journalists have adopted a habit of self-censorship and those who venture to be independent pay a high price." Both reports focused on the presence of a restrictive atmosphere that leads to self-censorship and control exercised through advertising revenues. The Tunisian Newspaper Association remained expelled from the World Association of Newspapers (WAN). The WAN expelled the Association in 1997 for its failure to oppose repression of freedom of the press.

The Government owns and operates the Tunisian Radio and Television Establishment (ERTT). The ERTT's coverage of government news is taken directly from the official news agency, TAP. The Government banned the broadcast of the April 8 funeral of former President Habib Bourguiba; television and radio stations broadcast foreign soccer games and shows about wildlife instead. In May 1998, the ERTT began broadcasting a live public debate program entitled "Face to Face," which gave ordinary citizens the opportunity to debate public affairs issues with government officials. Human rights activists described the program as progress toward greater freedom of expression. There are several government-owned regional radio stations and one national television channel. Bilateral agreements with France and Italy permit citizens to receive the French television channel France 2 and the Italian Rai-Uno; however, the broadcast of France 2 has remained suspended since October 1999 because of its critical coverage of the 1999 elections. The Government stated that the broadcast was terminated as part of a long-term plan to provide more broadcast time to Tunisian programming. Recent estimates place the number of satellite dishes (which have been legal since 1996) in the country at well over 100,000. The Government regulates their sale and installation.

The Government encouraged greater use of the Internet and lowered Internet user fees and telephone connection fees again during the year. There are no customs duties on computers. By September 1, the Government reported that there were 35,000 subscribers (almost three times the number reported in 1999) and an estimated 250,000 users of the Internet. The Government used the Internet widely, with most government ministries and agencies posting information on readily accessible web sites. Some previously blocked sites, such as for the French journal *Le Monde*, became available during the year. However, web sites containing information critical of the Government posted by international NGO's and foreign governments frequently are blocked, including a report on Internet use in Tunisia by Human Rights Watch. The only two Internet service providers in the country remain under the control of the Tunisian Internet Agency, which was created in 1996 and which regularly must provide lists of subscribers to the Government. Human rights activists allege that the Agency regularly interferes with and intercepts their Internet communications. The Press Code, including the requirement that advance copies of publications be provided to the Government, applies to information shared on the Internet (see Section 4).

The Government limits academic freedom. Like journalists, university professors indicated that they sometimes practiced self-censorship by avoiding classroom criticism of the Government or statements supportive of the An-Nahda movement. Professors alleged that the Government utilized the threat of tax audits, control over university positions, and strict publishing rules to encourage self-censorship. The presence of police on campuses also discouraged dissent. A 1996 regulation requires professors to inform the Ministry of Higher Education in advance of any seminars, including the list of participants and subjects to be addressed. Copies of papers to be presented in university settings or seminars must be provided to the Ministry in advance. In February police arrested secondary school students and others demonstrating in the south, and in April 40 other secondary students were arrested in Tunis (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the Government imposes some restrictions on this right. Groups that wish to hold a public meeting, rally, or march must obtain a per-

c. Freedom of Religion.—Islam is the state religion. The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, it does not permit proselytizing and partially limits the religious freedom of Baha'is.

The Government recognizes all Christian and Jewish religious organizations that were established before independence in 1956. Although the Government permits Christian churches to operate freely, only the Catholic Church has formal recognition from the post-independence Government. The other churches operate under land grants signed by the Bey of Tunis in the 18th and 19th centuries, which are respected by the post-independence Government.

The Government controls and subsidizes mosques and pays the salaries of prayer leaders. The President appoints the Grand Mufti of the Republic. The 1988 Law on Mosques provides that only personnel appointed by the Government may lead activities in mosques, and stipulates that mosques must remain closed except during prayer times and other authorized religious ceremonies, such as marriages or funerals. New mosques may be built in accordance with national urban planning regulations but become the property of the State. According to human rights lawyers, the Government regularly questioned Muslims who were observed praying frequently in mosques.

The Government allows the Jewish community freedom of worship and pays the salary of the Grand Rabbi. It also partially subsidizes restoration and maintenance costs for some synagogues. In October 1999, the provisional Jewish community elected a new board of directors, its first since independence in 1956, which is awaiting approval from the governor of Tunis. Once approval is obtained from the governor, which reportedly is only a formality, the committee is expected to receive permanent status. The governor of Tunis still had not granted the committee permanent status by year's end. The acting board has changed its name to the Jewish Committee of Tunisia. The Government permits the Jewish community to operate private religious schools and allows Jewish children on the island of Jerba to split their academic day between secular public schools and private religious schools. The Government also encourages Jewish emigres to return for the annual Jewish pilgrimage to the historic El-Ghriba Synagogue on the island of Jerba.

The Government regards the Baha'i Faith as a heretical sect of Islam and permits its adherents to practice their faith only in private. Although the Government permits Baha'is to hold meetings of their National Council in private homes, it reportedly has prohibited them from organizing local councils. The Government reportedly pressures Baha'is to eschew organized religious activities. There are credible reports that prominent Baha'is periodically are called in by police for questioning. The Government unofficially denied Baha'i requests during the year for permission to elect local assemblies. The Government also does not permit Baha'is to accept a declaration of faith from persons who wish to convert to the Baha'i Faith. There were credible reports that four members of the Baha'i Faith were interrogated by Ministry of Interior officials in 1999 and pressured to sign a statement that they would not practice their religion and would not hold meetings in their homes.

In general the Government does not permit Christian groups to establish new churches, and proselytizing is viewed as an act against the public order. Foreign missionary organizations and groups do not operate in the country. Authorities ask foreigners suspected of proselytizing to depart the country and do not permit them to return; however, there were no reported cases of official action against persons suspected of proselytizing during the year.

Islamic religious education is mandatory in public schools; however, the religious curriculum for secondary school students also includes the history of Judaism and Christianity. The Zeitouna Koranic School is part of the Government's national university system.

Both religious and secular NGO's are governed by the same law and administrative regulations on association that impose some restrictions on freedom of assembly. For example, all NGO's are required to notify the Government of meetings to be held in public spaces at least 3 days in advance and to submit lists of all meeting participants to the Ministry of Interior. There were credible reports that two Christian religious organizations did not attempt to register because they believed that their applications would be rejected, although they were able to function freely under the auspices of their respective churches. Neither group believed that it was a victim of religious discrimination. A third group, composed of foreign Christians mostly from Sweden and the United Kingdom, is active in providing medical and social services in the city of Kasserine in the west. Despite its ambiguous legal status, this group (with 15 to 20 members) reports that it has been free to pursue its social and medical work without interference and states that it does not believe that it has been subject to religious discrimination.

Religious groups are subjected to the same restrictions on freedom of speech and the press as secular groups. Primary among these restrictions is "depot legal," the requirement that printers and publishers provide copies of all publications to the Chief Prosecutor, the Ministry of Interior, and the Ministry of Culture prior to publication (see Section 2.a.). Similarly, distributors must deposit copies of publications printed abroad with the Chief Prosecutor and various ministries prior to their public release. Although Christian groups reported that they were able to distribute previously approved religious publications in European languages without difficulty, they claimed that the Government generally did not approve either publication or distribution of Arabic-language Christian material. Moreover, authorized distribution of religious publications was limited to existing religious communities, because the Government views public distribution of both religious and secular documents as a threat to the public order and hence an illegal act.

There was a credible report of a Muslim couple in Bizerte who had converted to Christianity, and since 1998 have not been permitted to renew their passports as a result of their conversion. Muslim women are not permitted to marry outside their religion. Marriages of Muslim women to non-Muslim men abroad are considered common-law, which are prohibited and thus void when the couple returns to the country. Non-Muslim women who marry Muslim men are not permitted to inherit from their husbands, nor may the husbands and any children (who are considered to be Muslim) from the marriage inherit from the non-Muslim wife.

Although civil law is codified, judges are known to override codified law with Shari'a (Islamic law) if codified law conflicts with Shari'a. For example, codified laws provide women with the legal right to custody over minor children; however, judges have refused to grant women permission to leave the country with minor children, holding that Shari'a appoints the father as the head of the family who must grant children permission to travel.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Constitution provides for these rights and Re--luqtrothin the to

The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) in assisting refugees. The Government acknowledged the UNHCR's determination of refugee status, which was accorded to 450 individuals during the year. Approximately 20 cases await determination by the UNHCR. The Government provides first asylum for refugees based on UNHCR recommendations. There is no pattern of abuse of refugees. Although a few refugees were deported during the year, none were forced to return to countries where they feared persecution. The Constitution provides for the grant of asylum and/or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides that the citizenry shall elect the President and members of the legislature for 5-year terms; however, there still are some significant limitations on citizens' right to change their government. In October 1999, President Ben Ali was reelected for a third 5-year term in the country's first multiparty presidential elections, winning 99.44 percent of the vote. According to the Constitution, this is to be his last term in office. The ruling RCD party won all 148 directly elected seats in the legislative elections. Observers agree that the outcome of the presidential and legislative elections generally reflected the will of the electorate; however, the campaign and election processes greatly favored the ruling party and there was widespread disregard for the secrecy of the vote. The ruling RCD party so dominates all levels of political activity that credible electoral challenges have been extremely difficult. Nonetheless, the results also reflected the general satisfaction of the vast majority with President Ben Ali's rule, which derives in large part from his success in promoting economic and social well-being. Opposition presidential candidates were allowed to run for the first time and opposition parties were able to campaign freely within the limits dictated by the Government; however, given the overwhelming dominance of the RCD, the playing field for the elections was not level. A presidentially appointed independent election monitoring group presented a confidential report to the President on the election process, which reportedly uncovered numerous irregularities alleged by opposition parties. In response, the Government enacted a law in April, just before the May municipal elections, that requires voters to bring copies of all party ballots (not just the ballot with ruling-party candidates) into the voting booth, in order to help preserve the secrecy of the vote.

The RCD party and its direct predecessor parties have controlled the political arena since independence in 1956. The RCD dominates the Cabinet, the Chamber of Deputies, and regional and local governments. The President appoints the Cabinet and the 24 governors. The Government and the party are integrated closely; the President of the Republic also is the president of the party, and the party's secretary general holds the rank of minister.

The Government amended the Constitution and Electoral Code in July 1999 to allow party presidents who have been in office for at least 5 years and whose parties were represented in the 1994 to 1999 Chamber of Deputies (and who met other requirements such as those regarding age and nationality) to run in the October 1999 presidential elections. These criteria were a one-time alternative to the more restrictive standing requirement that candidates for president must receive the endorsement of 30 sitting deputies or municipal council presidents to be eligible to run, and paved the way for the first multiparty presidential elections, as Mohamed Belhaj Amor, secretary general of the Popular Unity Front (PUP), and Abderrahman Tlili, secretary general of the Union of Democratic Unionists party (UDU), entered the race. Both candidates acknowledged flaws in the Electoral Code and criticized the fact that the narrowly written criteria made only two persons eligible to run against Ben Ali. At the same time, they stated that they wanted to advance pluralism by seizing the opportunity to run. However, after the elections, there were opposition complaints that, despite some progress in liberalizing the electoral process, problems remained, especially with regard to protection of the secrecy of the ballot and the accuracy of the vote totals.

The 182-seat Chamber of Deputies does not function as a counterweight to the executive branch; rather, it serves as an arena in which the executive's legislative proposals are debated prior to virtually automatic approval. Debate within the Chamber is often lively and government ministers are summoned to respond to deputies' questions, although heated exchanges critical of government policy are not reported fully in the press. Regardless of the debate, the Chamber has a history of approving all government proposals. The Chamber that emerged from the October 1999 parliamentary elections was more pluralistic than the Chamber in place from 1994 to 1999, as October 1998 changes in the Electoral Code reserved 20 percent

of the seats for the opposition parties, distributed on a proportional basis to those parties that did not win directly elected district seats. Five opposition parties currently hold 34 of 182 seats, or nearly 19 percent, compared with 4 opposition parties with 19 of 163 seats, or 12 percent, in the previous Parliament. The remaining 81 percent of the seats were contested in winner-take-all, multi-seat district races, in which the ruling party won all 148 directly elected seats, up from 144 in the previous Parliament. Opposition politicians recognized that the electoral changes ensured them more seats than they could have won in a popular election. However, they also argue that the winner-take-all, multi-seat district system permanently favors the RCD and essentially freezes the opposition at the 20 percent level.

All six legally recognized opposition parties fielded parliamentary candidates in the October 1999 elections. The Government provided public financing to political parties, as called for in legislation adopted in 1997. Under the legislation, each party represented in the Chamber of Deputies received an annual public subsidy of approximately \$54,000 (60,000 dinars), plus an additional payment of \$4,500 (5,000 dinars) per deputy. The Government also provided campaign financing that corresponded to the number of district lists that each party presented. Opposition politicians argued that the subsidy system reinforces the favored position of the ruling party because its dominance in the Parliament means that it receives the great majority of the government funding. Moreover, with funding based on the number of seats in Parliament, the opposition parties had no interest in forming coalitions against the RCD, but concentrated instead on competing with each other for the largest possible share of the 20 percent of seats reserved for the opposition. During the elections, opposition parties found independent fundraising impossible, and those that published newspapers or magazines faced difficulties in obtaining paid advertisers.

In the May municipal elections, the RCD won an overwhelming majority nationwide and retained the large majority of seats (and thus the mayoralty) in each of 257 municipal councils, although the number of opposition seats on the councils also increased significantly. The RCD won all seats in the 192 districts where it ran uncontested, and 94 percent of the 4,128 seats nationwide. Opposition parties and independent lists won a total of 243 seats in 60 municipalities, up from a total of 10 seats nationwide in the 1996 elections. Opposition representation on the councils was enhanced by 1998 Electoral Code amendments, which provided that any party winning more than 3 percent of the vote in a district would win or share 20 percent of the seats on that council.

Opposition parties noted improvements in the administration of the elections and conduct of the campaigns, although some opposition party members claimed that they did not receive voting cards from local authorities. The RCD campaign was far more restrained than in the October 1999 legislative elections, and press coverage of opposition parties was broader. The secrecy of the ballot generally was respected under a new law requiring voters to enter a voting booth, although some problems continued in that regard. While the Government's voter turnout estimates appeared to be inflated, the percentages won by opposition parties appeared credible, and opposition parties did well in a few areas, including traditional RCD party strongholds.

Women participate in politics, but they are underrepresented in senior government positions. Twenty-one of the 182 Deputies elected in October 1999 were women, up from 13 of 163 deputies in the previous Chamber. There are four women in the Cabinet: Two full ministers (the Minister of Environment and Land Management and the Minister for Women and Family Affairs) and two junior ministers (the Secretary of State for Housing and the Secretary of State for Public Health).

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Tunisian Human Rights League is the most active independent advocacy organization, with 41 branches located throughout many parts of the country. The organization receives and researches complaints and protests individual and systemic abuses. The Government continued to maintain the regular contact with the LTDH that it established in 1999. Minister of Interior Abdullah Kallel met with LTDH president Taoufik Bouderbala and other representatives of the League to address issues such as the return of passports and the release of PCOT prisoners Abdelmounim Belanas and Fahem Boukkadous (see Sections 1.c., 1.e., and 2.b.). However, LTDH officials reported that the Government still has not provided any written responses to LTDH inquiries since 1994.

Although the Government permitted the League to hold meetings in its offices, it continued to place significant obstacles in the way of the League's effective operation. LTDH members and other human rights activists reported government har-

assment, interrogation, property loss or damage, unauthorized home entry, and denial of passports. Several of the League's communiques appeared in independent newspapers during the year and its 2000 National Congress was discussed in a local weekly magazine, *Realites*, and independent daily journals. In January the LTDH hosted human rights training for secondary school teachers in conjunction with the Arab Institute for Human Rights. In May the LTDH attended a conference on freedom of the press with Amnesty International (see Section 2.b). However, in November a Tunis judge ordered closed the LTDH headquarters and replaced the newly elected board of directors with a judicial administrator pending the hearing of a complaint filed by four LTDH members, who claimed that the National Congress elections did not follow the League's by-laws and therefore were illegal. Since the closure of their headquarters, LTDH members claim that they have been under heavy police surveillance and that plainclothes police have prevented them from entering private homes, public restaurants, and buildings to meet. On December 25, the Government held a hearing and postponed the LTDH's civil trial until January 2001. On December 25, LTDH vice president Slahedine Jourchi was interrogated by the Public Prosecutor regarding a press release he published on December 11, but no charges had been filed against him by year's end.

Although LTDH vice president Khemais Ksila was released in September 1999, he claims he still is harassed and under constant surveillance (see Section 1.f.). In a statement published in the May issue of the biweekly magazine *Jeune Afrique*, the Government claimed that it had completed its investigation of the February 1998 ransacking and burglary of the law office of human rights activist Radhia Nasraoui and had brought the perpetrators to justice. Human rights activists believe that security forces carried out the 1998 ransacking and burglary because some of the documents that the Government presented in the 1999 PCOT trial were among the documents stolen from Nasraoui's office. Although Nasraoui received a 6-month suspended sentence in the PCOT trial, she was prevented from leaving the country in May to attend an Amnesty International conference in Belgium. The Government claimed that she still was under a travel injunction from her 1999 suspended sentence. After verifying that Nasraoui's travel injunction had lapsed, the Government gave her permission to travel the following day, although Nasraoui ultimately decided not to travel because she already had missed the conference (see Section 2.d.). Nasraoui was permitted to travel out of the country in June.

The Government continued to refuse to authorize the Tunisian National Council for Liberties to register as an NGO. The CNLT initially applied for authorization in 1998. The court has not yet acted on the March 1999 administrative appeal filed by the CNLT's founders. The Government stated that the case was submitted to a court of justice, and that the situation requires that the Government leave the matter to the judiciary. Although not recognized by the Government, the CNLT issued statements criticizing government human rights practices. The CNLT published a report in March describing a broad range of human rights abuses, and proclaimed 2000 as "the year for the eradication of torture and the conquest of liberty." Government officials stated that, by publishing communiques in the name of an unregistered NGO, CNLT members violated the Publications Code (which requires that advance copies be provided to the Government), belonged to an illegal organization, and threatened public order. In June the Government convicted RAID president Fethi Chemki and member Mohamed Chouarbi of defamation for reproducing the CNLT's March report. Iheb El-Hani, a photocopy shop owner, who also was indicted in case, was acquitted of all charges (see Sections 1.c., 1.e., and 2.a.).

There were no developments in the Government's 1999 criminal investigation of the leader of the Tunisian Association of Young Lawyers for meeting with CNLT members in his office. A court indicted both CNLT members Omar Mestiri and Moncef Marzouki in July 1999, and Marzouki again in November and December 1999, on several charges, including belonging to an illegal organization, violating the Publications Code, and spreading false information. There were no results during the year in the Government's investigation into the charges, and a trial had not begun by year's end (see Section 2.a.). In a separate case based on a September indictment, Marzouki was sentenced on December 30 to a 1-year prison term for maintaining an illegal organization and distribution of false news for writing a paper used at a human rights conference held in Morocco that criticized the Government's National Solidarity Fund charity for lack of transparency. Marzouki had 10 days to file an appeal of the ruling and had not been imprisoned by year's end. Marzouki and CNLT member Mustapha Ben Jaafar, both doctors, allege that the Government prohibits them from treating patients in retaliation for their human rights activism. In July the Minister of Health fired Marzouki from his job as a doctor and professor at the Faculty of Medicine at Sousse University. The Government claimed that Marzouki submitted a fraudulent medical certificate to be excused for

time off from his position when he traveled abroad in June. Marzouki claimed that he was fired because he made statements abroad that were critical of the Government. Marzouki's family also claims to have suffered from Marzouki's activism. Security police took CNLT member Mustapha Ben Jaafar briefly into custody in August for interrogation. The Government also interrogated other persons who entered the CNLT headquarters throughout the year. On the weekend of December 10, plainclothes police barred entry to CNLT headquarters. Omar Mestiri claimed that the police struck lawyers Nejib Hosni and Raouf Ayadi in front of the headquarters when they attempted to enter.

The Government issued passports to CNLT members Sihem Bensedrine, Moncef Marzouki, and Mustapha Ben Jaafar; however, other CNLT members were unable to obtain passports (see Sections 1.f., 2.a., and 2.d.).

The Arab Institute for Human Rights, headquartered in Tunis, was founded in 1989 by the LTDH, the Arab Organization for Human Rights, and the Union of Arab lawyers. It is an information, rather than an advocacy, organization, and the Government supports its activities.

Amnesty International continued to maintain a Tunisian chapter. Its members complained that the Tunis office suffered repeated loss of telephone and fax service. Persons who were considering joining AI's Tunisia chapter report that security officials discouraged them from doing so. AI officials reported that they were under periodic police surveillance. The Government denied two requests, one in March and another in April, for AI to hold a seminar on human rights in Saudi Arabia. The Government stated that AI had not submitted the appropriate request. On July 11, the Government refused entry to AI researcher Donatella Rovera, FIDH president Patrick Baudouin, and France-section AI president Hassina Giraud upon their arrival at Tunis-Carthage Airport. Although the Government gave no official explanation why the three were refused entry, government officials have accused Amnesty International of exaggerating reports of human rights violations in Tunisia. However, the Government permitted AI to hold a public meeting in Tunis in May in celebration of International Freedom of the Press Day and a public meeting in Sfax in June, and to hold its annual meeting in July (see Section 2.b.). The Government permitted numerous foreign members of AI to enter the country and attend the July meeting.

Throughout the year, the Government permitted observers from AI, the International Human Rights Federation, and other international human rights organizations to monitor trials. The observers reported that the Government permitted them to conduct their work freely (see Section 1.e.). However, the Government reportedly blocked access to the Internet web sites produced by some of these organizations and those produced by the Committee to Protect Journalists (see Section 2.a.). Human rights activists and lawyers complain of frequently interrupted postal and telephone services (see Section 1.f.).

Human rights offices in certain ministries and a governmental body, the Higher Commission on Human Rights and Basic Freedoms, address and sometimes resolve human rights complaints. The Higher Commission submits confidential reports directly to President Ben Ali. There is a Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies, which is within the Prime Minister's office and is headed by Minister Afif Hendaoui. The first Minister for Human Rights, Daly Jazi, was dismissed on April 5 after less than 5 months in the position. The Government gave no reason for Jazi's dismissal. However, Jazi subsequently was appointed as an advisor to the President.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides that all citizens shall have equal rights and responsibilities and be equal under the law, and the Government generally upholds these rights in practice. Legal or societal discrimination is not prevalent, apart from that experienced by women in certain areas, such as inheritance, which is governed by Shari'a. Shari'a provides that daughters receive only half the amount left to sons.

Women.—Violence against women occurs, but there are no comprehensive statistics to measure its extent. According to one family court judge, women file 4,000 complaints of domestic violence each year, but later drop approximately half of those complaints. The Tunisian Democratic Women's Association operates the country's only counseling center for women who are victims of domestic violence. The center, located in Tunis, assists approximately 20 women per month. Instances of rape or assault by someone unknown to the victim are rare. Battered women first seek help from family members. Police intervention often is ineffective because police officers and the courts tend to regard domestic violence as a problem to be handled by the family. Nonetheless, there are stiff penalties for spouse abuse. Both the fine and im-

prisonment for battery or violence committed by a spouse or family member are double those for the same crimes committed by an individual not related to the victim. Although previously treated as a taboo subject by the media, the Government in April presented a televised panel discussion on domestic violence and in August President Ben Ali ordered an investigation into the extent of domestic violence. The Government had not released a report by year's end.

Women enjoy substantial rights and the Government has made serious efforts to advance those rights, especially in the areas of property-ownership practices and support to divorced women. The 1956 Personal Status Code outlawed polygamy. A 1998 presidential decree created a national fund to protect the rights of divorced women, ensuring that the State would provide financial support to women whose former husbands refused to make child support and alimony payments. The Government has processed over 5,600 requests providing divorced women over \$8 million (11 million dinars) since the fund's inception. Legislation requires civil authorities to advise couples on the merits of including provisions for joint property in marriage contracts. Nonetheless, most property acquired during marriage, including property acquired solely by the wife, still is held in the name of the husband. Inheritance law, based on Shari'a and tradition, discriminates against women, and women still face societal and economic discrimination in certain areas, such as private sector employment. The Government took strong measures to reduce official discrimination, including adding equal opportunity for women as a standard part of its audits of all governmental entities and state-owned enterprises; however, it did not extend such measures to the private sector.

Women are entering the work force in increasing numbers, employed particularly in the textile, manufacturing, health, and agricultural sectors. According to 1999 government statistics, women constituted 29 percent of the work force; there are an estimated 2,000 businesses headed by women. Women constitute 37.1 percent of the civil service, employed primarily in the fields of health, education, and social affairs, at the middle or lower levels. Women constitute 60 percent of all judges in the capital and 24 percent of the nation's total jurists. Approximately 50.4 percent of university students enrolled in the 1999–2000 academic year were women. The law explicitly requires equal pay for equal work. The Government includes equal opportunity for women as a standard part of its audits of all government ministries, agencies, and state-owned enterprises. On the other hand, while the rate of illiteracy has dropped markedly in both rural and urban areas, the rate of female illiteracy in all categories is at least double that of men. Among 10- to 14-year-old children, 5.5 percent of urban girls are illiterate, compared with 2.2 percent of urban boys, and 27 percent of rural girls compared with less than 7 percent of rural boys.

Several active NGO's focus, in whole or in part, on women's advocacy, or research women's issues, and a cadre of attorneys represent women in domestic cases. Media attention focuses on women's economic and academic accomplishments, and usually omits reference to culturally sensitive issues. The Government funded several studies and projects designed to improve the role of women in the media. According to a government study, women represented 25.2 percent of professional journalists in 1998.

There is a separate Ministry for Women and Family Affairs, with a relatively large budget to support its mission to ensure the legal rights and improve the socio-economic status of women. The Government supports and provides funding to the National Women's Union, women's professional associations, and the Government's Women's Research Center.

Children.—The Government demonstrates a strong commitment to public education, which is compulsory until age 16. Primary school enrollment for the 1999–2000 scholastic year was slightly less than the preceding year's, reflecting a decline in the birth rate; secondary school enrollment showed an increase of 8 percent. The Government reported that 99.1 percent of children attend primary school full-time. The Government offers a maternal and child health program, providing prenatal and postnatal services. It sponsors an immunization program targeting preschool age children, and reports that over 95 percent of children are vaccinated.

In 1995 the Government promulgated laws as part of a code for the protection of children. The code proscribes child abuse, abandonment, and sexual or economic exploitation. Penalties for convictions for abandonment and assault on minors are severe. There is no societal pattern of abuse of children. There is a Ministry for Children and Youths and a Presidential Delegate to Safeguard the Rights and Welfare of Children.

People with Disabilities.—The law prohibits discrimination based on disability and mandates that at least 1 percent of the public and private sector jobs be reserved for the disabled. All public buildings constructed since 1991 must be accessible to physically disabled persons. Many cities, including the capital, have begun to install

wheelchair access ramps on city sidewalks. There is a general trend toward making public transportation more accessible to disabled persons. The Government issues special cards to the disabled for benefits such as unrestricted parking, priority medical services, preferential seating on public transportation, and consumer discounts.

Indigenous People.—The Government estimates that the small Amazigh (Berber) minority constitutes less than 3 percent of the population. Some older Amazighs have retained their native language, but the younger generation has been assimilated into Tunisian culture through schooling and marriage. Amazighs are free to participate in politics and to express themselves culturally.

Section 6. Worker Rights

a. The Right of Association.—The Constitution and the Labor Code stipulate the right of workers to form unions. The Tunisian General Federation of Labor is the country's only labor federation. About 15 percent of the work force, including civil servants and employees of state-owned enterprises, are members, and a considerably larger proportion of the work force is covered by union contracts. There is no legal prohibition against the establishment of other labor federations. A union may be dissolved only by court order.

The UGTT and its member unions legally are independent of the Government and the ruling party, but operate under regulations that restrict their freedom of action. The UGTT's membership includes persons associated with all political tendencies, although Islamists have been removed from union offices. There are credible reports that the UGTT receives substantial government subsidies to supplement modest union dues and funding from the National Social Security Account. While regional and sector-specific unions operate with more independence, the central UGTT leadership follows a policy of cooperation with the Government on its economic reform program.

Unions, including those representing civil servants, have the right to strike, provided they give 10 days' advance notice to the UGTT and it approves of the strike. However, this advance approval rarely is sought in practice. There were numerous short-lived strikes over pay and conditions, and over efforts by employers to impede union activities. While the majority of these technically were illegal, the Government did not prosecute workers for illegal strike activity, and the strikes were covered objectively in the press. The International Confederation of Free Trade Unions has characterized the requirement for prior UGTT approval of strikes as a violation of worker rights. The law prohibits retribution against strikers, but there have been cases of employers punishing strikers nevertheless, which forces the strikers to pursue costly and time-consuming legal remedies to protect their rights.

Labor disputes are settled through conciliation panels in which labor and management are represented equally. Tripartite regional arbitration commissions settle industrial disputes when conciliation fails.

Unions are free to associate with international bodies.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively is protected by law and observed in practice. Wages and working conditions are set in triennial negotiations between the UGTT member unions and employers. Forty-seven collective bargaining agreements set standards for industries in the private sector and cover 80 percent of the total private sector workforce. Each accord is negotiated by representatives of unions and employers in the area the accord encompasses. The Government's role in the private sector negotiations is minimal, consisting mainly of lending its good offices if talks appear to be stalled. However, the Government must approve (but may not modify) the agreements. When approved the agreements set standards for all employees, both union and nonunion, in the areas that they cover. The UGTT also negotiates wages and work conditions of civil servants and employees of state-owned enterprises. The Government is the partner for such negotiations. The 1999 triennial negotiation ended in February 2000. The agreements signed provided for annual wage increases ranging from 4 to 6 percent.

The law prohibits antiunion discrimination by employers. However, the UGTT is concerned about antiunion activity among private sector employers, especially the firing of union activists and the use of temporary workers to avoid unionization. In certain industries, such as textiles, hotels, and construction, temporary workers account for a large majority of the work force. The Labor Code protects temporary workers, but enforcement is more difficult than in the case of permanent workers. The 1999 discussions on this issue between the UGTT and the Government failed to achieve any results. A committee chaired by an officer from the Labor Inspectorate of the Office of the Inspector General of the Ministry of Social Affairs, and including a labor representative and an employers' association representative, approves all worker dismissals.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or compulsory labor by either adults or children, and it is not known to occur. The Government abolished forced and compulsory labor in 1989.

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 16 years. The minimum age for light work in the non-industrial and agricultural sectors is 13 years. The law also requires children to attend school until age 16. Workers between the ages of 14 and 18 must have 12 hours of rest per day, which must include the hours between 10 p.m. and 6 a.m. Children between the ages of 14 and 16 in nonagricultural sectors may work no more than 2 hours per day. The total time that they spend in school and work may not exceed 7 hours per day. The minimum age for hazardous work is 18. Inspectors of the Ministry of Social Affairs examine the records of employees to verify that employers comply with the minimum age law. Nonetheless, young children often perform agricultural work in rural areas and work as vendors in urban areas, primarily during the summer vacation from school.

Observers have expressed concern that child labor continues to exist disguised as apprenticeship, particularly in the handicraft industry, and in the cases of teenage girls whose families place them as household domestics in order to collect their wages. There are no reliable statistics on the extent of this phenomenon; however, an independent lawyer who conducted a study of the practice concluded that hiring of underage girls as household domestics has declined with increased government enforcement of school attendance and minimum work age laws. The law prohibits forced and bonded child labor, and the Government enforces this prohibition effectively (see Section 6.c.).

e. Acceptable Conditions of Work.—The Labor Code provides for a range of administratively determined minimum wages, which are set by a commission of representatives from the Ministries of Social Affairs, Planning, Finance, and National Economy, in consultation with the UGTT and the Employers' Association. The President approves the commission's recommendations. On May 1, the industrial minimum wage was raised by 6.32 dinars to \$138 (186.992 dinars) per month for a 48-hour workweek and \$121 (163.798 dinars) per month for a 40-hour workweek. The agricultural minimum wage is \$4.30 (5.809 dinars) per day. When supplemented by transportation and family allowances, the minimum wage provides for a decent standard of living for a worker and family, but nothing more, as it covers only essential costs. The Labor Code sets a standard 48-hour workweek for most sectors and requires one 24-hour rest period per week. The few foreign workers have the same protections as citizen workers.

Regional labor inspectors are responsible for enforcing standards. They inspect most firms about once every 2 years. However, the Government often encounters difficulty in enforcing the minimum wage law, particularly in nonunionized sectors of the economy. Moreover, more than 240,000 workers are employed in the informal sector, which falls outside the purview of labor legislation.

The Ministry of Social Affairs has responsibility for enforcing health and safety standards in the workplace. There are special government regulations covering such hazardous occupations as mining, petroleum engineering, and construction. Working conditions and standards tend to be better in firms that are export oriented than in those producing exclusively for the domestic market. Workers are free to remove themselves from dangerous situations without jeopardizing their employment, and they may take legal action against employers who retaliate against them for exercising this right.

f. Trafficking in Persons.—The law does not prohibit trafficking in persons; however, it prohibits slavery and bonded labor. There were no reports that persons were trafficked to, from, within, or through the country.

UNITED ARAB EMIRATES

The United Arab Emirates (UAE) is a federation of seven emirates established in 1971. None has any democratically elected institutions or political parties. Traditional rule in the emirates generally has been patriarchal, with political allegiance defined in terms of loyalty to the tribal leaders. Political leaders in the emirates are not elected, but citizens may express their concerns directly to their leaders via traditional mechanisms, such as the open majlis, or council. In accordance with the 1971 Constitution, the seven emirate rulers constitute a Federal Supreme Council, the highest legislative and executive body. The Council selects a President and Vice President from its membership; the President in turn appoints the Prime Minister and Cabinet. The Constitution requires the Council to meet annually, although indi-

vidual leaders meet frequently in more traditional settings. The Cabinet manages the Federation on a day-to-day basis. A consultative body, the Federal National Council (FNC), consisting of advisors appointed by the emirate rulers, has no legislative authority but questions government ministers in open sessions and makes policy recommendations to the Cabinet. Each emirate retains control over its own oil and mineral wealth, some aspects of internal security, and some regulation of internal and external commerce. The federal Government asserts primacy in matters of foreign and defense policy, some aspects of internal security, and increasingly in matters of law and the supply of some government services. The judiciary generally is independent, but its decisions are subject to review by the political leadership.

Each emirate maintains its own independent police force. While all emirate internal security organs theoretically are branches of one federal organization, in practice they operate with considerable independence.

The UAE has a free market economy based on oil and gas production, trade, and light manufacturing. The Government owns the majority share of the petroleum production enterprise in the largest emirate, Abu Dhabi. The Emirate of Dubai is likewise an oil producer, as well as a growing financial and commercial center in the Gulf. The remaining five emirates have negligible petroleum or other resources and therefore depend in varying degrees on federal government subsidies, particularly for basic services such as health care, electricity, water, and education. The economy provides citizens with a high per capita income, but it is heavily dependent on foreign workers, who constitute at least 80 percent of the general population.

The Government generally respected its citizens' rights in some areas and continued to improve in other areas; however, its record was poor in other areas, particularly with respect to its denial of citizens' right to change their government and its placement of limitations on the labor rights of foreign workers. The Government denied citizens the right to change their government. The Government at times abused persons in custody, denied citizens the right to a speedy trial and legal counsel during police investigations, and restricted the freedoms of speech, press, assembly, association, and religion. The press continued to avoid direct criticism of the Government and exercised self-censorship. Women continue to make progress in education and in the work force. In April the Ministry of Foreign Affairs issued a directive allowing for the inclusion of women in the diplomatic corps. However, some discrimination against women persists, including informal restrictions on their ability to register businesses. The Government limits worker rights, and abuse of foreign domestic servants is a problem. There were reports of trafficking in persons.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—There were no reports of political or other extrajudicial killings.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution prohibits torture or degrading treatment, and there were no confirmed reports of torture; however, there are consistent but unconfirmed reports from foreign prisoners of beatings and coerced confessions by police during initial detention. The Government conducted internal investigations of these reports, and maintained that they were groundless. According to unconfirmed sources, in March a Qatari journalist reportedly was subjected to sleep deprivation and physical abuse during his 2-week detention after the authorities arrested him for publishing a series of satirical columns in the Dubai newspaper Gulf News (see Sections 1.d. and 2.a.).

Shari'a (Islamic law) courts frequently impose flogging (except in Dubai) on Muslims found guilty of adultery, prostitution, and drug or alcohol abuse. In practice flogging is administered in accordance with Shari'a in order as to prevent major or permanent injuries. The individual administering the lashing swings the whip using the forearm only. According to press accounts, punishments for adultery and prostitution have ranged from 39 to 200 lashes. Individuals convicted of drunkenness have been sentenced to 80 lashes. The federal Supreme Court ruled in 1993 that convictions in the Shari'a courts do not necessarily require the imposition of Shari'a penalties on non-Muslims, but such sentences have been carried out in a few cases.

In February an Indonesian woman convicted of adultery by the Shari'a court in the Emirate of Fujairah, was sentenced to death by stoning after she purportedly insisted on such punishment. The sentence was commuted on appeal to 1 year in prison, followed by deportation. In June 1998, the Shari'a court in Fujairah sentenced three Omani nationals convicted of robbery to have their right hands ampu-

tated. The Fujairah prosecutor's office instead commuted the sentence to a term of imprisonment.

In central prisons that hold long-term inmates, prisoners are provided with food, medical care, and adequate sanitation facilities, but sleep on slabs built into cell walls or on the floor. Each prisoner is provided with four blankets. Only some blocks of the central prisons are air-conditioned during the intense heat and humidity of the summer. The Government gradually is phasing air conditioning into the prisons. Currently, prisoners with medical conditions are placed in airconditioned rooms during the summer months. Prisoners not under investigation and not involved in drug cases may receive visitors up to three times each week and may also make occasional local telephone calls. In Dubai Emirate, most prisoners are allowed family visits and a number of telephone calls.

The Government does not permit independent monitoring of prison conditions.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution prohibits arrest, search, detention, or imprisonment, except in accordance with the law, and authorities generally respect these provisions in practice. The law prohibits arrest or search without probable cause.

Under the Criminal Procedures Code, the police must report arrests within 48 hours to the Attorney General, who must determine within the next 24 hours whether to charge, release, or order further detention pending an investigation. The Attorney General may order that detainees be held for up to 21 days without charge. After that time, the authorities must obtain a court order for further detention without charge.

Although the code does not specify a right to a speedy trial, authorities bring detainees to trial in reasonable time with the exception of drug-related cases, for which the authorities must inform the Office of the President in the Abu Dhabi Emirate (also known as the Diwan) of the charges. Trials may last a substantial period of time, depending on the seriousness of the charges, number of witnesses, and availability of judges. There is no formal system of bail, but the authorities temporarily may release detainees who deposit money or an important document such as a passport. The law permits incommunicado detention, but there is no evidence that it is practiced. Defendants in cases involving loss of life, including involuntary manslaughter, may be denied release in accordance with the law. However, bail usually is permitted, after a payment of "diya," a form of financial compensation for death or injury cases.

Review of criminal cases by the office of the President in Abu Dhabi and bureaucratic delays in processing prisoners or releasing them sometimes result in detainees serving additional, unnecessary time in the central prisons (see Section 1.e.). Some bureaucratic delays have kept prisoners incarcerated for as long as several months beyond their court-mandated release dates.

According to unconfirmed sources, in March a Qatari journalist was subjected to sleep deprivation and physical abuse during his 2-week detention after the authorities arrested him for publishing a series of satirical columns in the Dubai newspaper *Gulf News* (see Sections 1.c. and 2.a.).

The Crown Prince of Dubai in August granted an amnesty for 200 citizen and 300 foreigner prisoners convicted of drug-related offenses. The foreign prisoners were deported upon release. To celebrate the success of the surgery performed in August on the President, the ruler of the Emirate of Ras Al-Khaimah ordered the release of 119 prisoners who had been convicted on charges relating to financial crimes. The release was followed by the issuance of amnesty orders by the ruler of Umm Al-Quwain, which allowed for the release of an unspecified number of prisoners, and by the Abu Dhabi Crown Prince, ordering the release of 150 prisoners convicted of financial crimes.

The Constitution prohibits exile, and it is not practiced.

e. Denial of Fair Public Trial.—The Constitution provides for the independence of the judiciary; however, its decisions are subject to review by the political leadership.

There is a dual system of Shari'a and civil courts. The civil courts generally are part of the federal system and are answerable to the federal Supreme Court, located in Abu Dhabi, which has the power of judicial review as well as original jurisdiction in disputes between emirates or between the federal Government and individual emirates. Courts and other elements of the judicial system in the Emirate of Dubai tend to maintain independence from the federal system.

The Shari'a courts are administered by each emirate but also must answer to the federal Supreme Court. In 1994 the President decreed that the Shari'a courts, and not the civil courts, would have the authority to try almost all types of criminal cases. The decree did not affect the emirates of Dubai and Ras Al-Khaimah, which

have lower courts independent of the federal system. Dubai has a special Shi'a council to act on matters pertaining to Shi'a family law (see Section 5).

Legal counsel may represent defendants in both court systems. Under the new Criminal Procedures Code, the accused has a right to counsel in all cases involving a capital crime or possible life imprisonment. Only the Emirate of Dubai has a public defender's office. If the defendant is indigent, the Government will provide counsel. However, in Dubai the Government provides indigents counsel only in felony cases. The Supreme Court ruled in 1993 that a defendant in an appeals case has a "fundamental right" to select his attorney and that this right supersedes a judge's power to appoint an attorney for the defendant.

The right to legal counsel is interpreted to provide that the accused is entitled to an attorney only after the police have completed their investigation. Thus, the police may question accused persons—sometimes for days or weeks, as in narcotics cases—without the benefit of legal counsel.

Defendants are presumed innocent until proven guilty. There are no jury trials. The number of judges sitting for a case depends on the type of crime alleged; three judges normally sit for criminal cases. All trials are public, except national security cases and those deemed by the judge likely to harm public morality. Most judges are foreign nationals, primarily from other Arab countries; however, the number of citizens serving as public prosecutors and judges, particularly at the federal level, continued to grow.

Each court system has an appeals process. Death sentences may be appealed to the ruler of the emirate in which the offense was committed or to the President of the Federation. Non-Muslims who are tried for criminal offenses in Shari'a courts may receive civil penalties at the discretion of the judge. Shari'a penalties imposed on non-Muslims may be overturned or modified by a higher court.

The Diwan, following the traditional prerogatives of a local ruler, maintains the practice of reviewing many types of criminal and civil offenses (such as alcohol use, drug-related cases, firearm use, cases involving personal injury, and cases affecting tribal harmony) before cases are referred to the prosecutor's office. However, this practice is not as prevalent as in past years, and such cases usually are referred directly to the prosecutor's office. The Diwan also reviews sentences passed by judges and reserves the right to return cases to the courts on appeal. The Diwan's involvement leads to long delays prior to and following the judicial process, causing prisoners to remain in prison after they have completed their sentence. Although there are reports of intervention by other emirates' rulers in specific cases of personal interest, intervention does not appear to be routine.

The military has its own court system based on Western military judicial practice. Military tribunals try only military personnel. There is no separate national security court system. In Dubai convicted criminals are eligible for executive pardon, often based on humanitarian grounds, once they have served at least half of their sentence.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution prohibits entry into homes without the owner's permission, except in accordance with the law. Only police officers and public prosecutors carrying a warrant are permitted entry into homes. If the authorities enter a home without a warrant, their actions are considered illegal. In an August case in Dubai, a judge suppressed evidence that was obtained by police without a warrant. Officers' actions in searching premises are subject to review, and officers are subject to disciplinary action if they act irresponsibly. Local custom and practice place a high value on privacy, and entry into private homes without the owner's permission is rare. There is no known surveillance of private correspondence. However, foreigners have received sealed publications, such as magazines, through the international mail in which pictures of the naked human figure have been blackened over with a marking pen.

Family law for Muslims is governed by Shari'a and the local Shari'a courts. As such, Muslim women are forbidden to marry non-Muslims. Such a marriage may result in both partners being arrested and tried.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech; however, the Government limits this right in practice. Most persons, especially foreign nationals, refrain from criticizing the Government in public.

All published material is subject to Federal Law 15 of 1988, which stipulates that all publications, whether books or periodicals, should be licensed by the Ministry of Information. The law also governs content and contains a list of proscribed subjects. Mindful of these provisions, journalists censor themselves when reporting on gov-

ernment policy, the ruling families, national security, religion, and relations with neighboring states. However, following an October 1999 interview with the semiofficial daily newspaper *Al-Ittihad*, in which Deputy Prime Minister Sultan Bin Zayid Al-Nahyan stated that uncovering inefficiencies in government was one of the duties of the press, newspapers began publishing articles critical of alleged inefficiencies in the delivery of services by the Ministries of Health, Education, and Electricity and Water. In August the English-language daily newspaper *Gulf News* featured a two-part expose on life in the Dubai women's central prison. A rare look into a women's correctional facility, the series included interviews with citizen and foreign prisoners, describing in depth a typical day in the prison. In December a new Arabic-language newspaper, *Akhbar Al-Arab*, owned by a member of the Al-Nahyan ruling family, was established in Abu Dhabi.

However, in March the Ministry of Information and Culture filed a lawsuit against the Dubai newspaper *Gulf News* in response to a series of sharply satirical columns that it published by Qatari journalist Abdul-Wahed Al-Mawlawi, which featured selfdeprecatory humor regarding stereotypes of alleged shortcomings of Gulf Arabs. The Government considered the articles to be offensive to Gulf citizens in general and to the country's citizens in particular. According to unconfirmed sources, the Government also arrested Al-Mawlawi about 1 week after the publication of the last of the columns, reportedly subjected him to sleep deprivation and physical abuse during his 2-week detention, then expelled him to Qatar (see Sections 1.c. and 1.d.). The Ministry withdrew the lawsuit after the editor of the newspaper agreed to publish on the front page of the *Gulf News* a one-page apology for having caused any offense. In September the Government briefly banned 10 prominent citizens, including 4 university professors, from publishing opinion pieces in the country's Arabic- and English-language press. The Ministry of Information imposed the ban after the writers took up the cause in the press of over 100 employees who had been laid off by the government-financed Emirates Media Corporation. No official justification was given for the ban, which was lifted against all 10 citizens by late October.

In September 1999, Emirates Media, which publishes *Al-Ittihad* and owns Abu Dhabi's radio and television stations, issued a directive forbidding all its employees, including journalists, from speaking with representatives of foreign diplomatic missions without prior approval. Also in 1999, Dubai Emirate announced plans to open a press club as part of its effort to promote Dubai as a major regional communications hub. The club provides facilities for the international press, including access to information, and serves as a site for open discussions between political figures and journalists. The country's three English-language newspapers are privately owned, as are three out of its six Arabic-language newspapers; however, privately owned newspapers receive government subsidies. Foreign publications routinely are subjected to censorship before distribution.

All television and radio stations, with the exception of Ajman Emirate's local television station, are government owned and conform to government reporting guidelines. These unpublished guidelines are not always applied consistently. In July 1999, Emirates Media purchased Ajman Emirate's satellite television station. Satellite receiving dishes are widespread and provide access to international broadcasts without apparent censorship. Censors at the Ministry of Information and Culture review imported newspapers, periodicals, books, films, and videos and ban any material considered pornographic, violent, derogatory to Islam, supportive of certain Israeli positions, unduly critical of friendly countries, or critical of the Government or the ruling families. In June the state telephone and Internet monopoly substantially lowered Internet prices for the third time in 3 years and sought to encourage greater use of the Internet. The Internet monopoly uses a proxy server that appears aimed, in most instances, at blocking material regarded as pornographic or as promoting radical Islamic ideologies. In most cases, the proxy server does not appear to block news services or political expression unrelated to radical Islam, or material originating from specific countries. However, the Internet monopoly solicits suggestions from users regarding "objectionable" sites and sometimes has responded by briefly blocking some politically oriented sites, which were, after an apparent review, later unblocked. In October following the increase in violence in Israel, the West Bank, and Gaza, Etilsat established a web page depicting images of the dead and injured, and containing a discussion forum and bulletin boards, in which persons accessing the page could post their opinions.

The unwritten but generally recognized ban on criticism of the Government also restricts academic freedom, although in recent years academics have been more open in their criticism. Academic materials destined for schools in the country are subject to censorship. At Zayid University, the female students are banned from

reading texts in which the human body is pictured or sexuality is featured (see Section 5).

b. Freedom of Peaceful Assembly and Association.—The Government tightly restricts the freedom of peaceful assembly. Organized public gatherings require a government permit. Each emirate determines its own practice on public gatherings. Some emirates are relatively tolerant of seminars and conferences on sensitive subjects. Citizens normally confine their political discussions to the numerous gatherings or majlis, which are held in private homes. There are no restrictions on such gatherings.

In October the Government issued permits for demonstrations throughout the country to protest the Israeli Government's actions against Palestinians in Israel, the West Bank, and Gaza during the fall. These public marches, in which both citizens and foreigners participated, were peaceful in nature. Demonstrations, many of which were organized by female students, also took place at universities.

The Government tightly restricts freedom of association. Unauthorized political organizations are prohibited. All private associations, including children's clubs, charitable groups, and hobby associations, must be approved and licensed by local authorities; however, this requirement is enforced only loosely in some emirates. Private associations must follow the Government's censorship guidelines if they publish any material.

c. Freedom of Religion.—The federal Constitution designates Islam as the official religion, and Islam is also the official religion of all seven of the individual emirates of the federal union. The federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals, and the Government generally respects this right in practice; however, the Government controls all Sunni mosques and prohibits proselytizing.

Virtually all Sunni mosques are government funded or subsidized; about 5 percent of Sunni mosques are entirely private, and several large mosques have large private endowments. The federal Ministry of Awqaf and Religious Affairs distributes weekly guidance to both Sunni and Shi'a sheikhs regarding religious sermons and ensures that clergy do not deviate frequently or significantly from approved topics in their sermons. All Sunni imams are employees of either the federal Ministry of Awqaf and Religious Affairs or individual emirate ministries. In 1993 the Emirate of Dubai placed private mosques under the control of its Department of Islamic Affairs and Endowments. This change gave the Government control over the appointment of preachers and the conduct of their work.

The Shi'a minority, which is concentrated in the northern emirates, is free to worship and maintain its own mosques. All Shi'a mosques are considered private and receive no funds from the Government. The Government does not appoint sheikhs for Shi'a mosques. Shi'a Muslims in Dubai may pursue Shi'a family law cases through a special Shi'a council rather than the Shari'a courts.

In April the Ras Al-Khaimah Shari'a court ruled that anyone found guilty of employing a magician to cast a spell on others would be sentenced to death. The ruling followed the sentencing of a citizen to 4 months' imprisonment for allegedly hiring a magician to cast a spell on her former husband and sister.

The Government does not recognize all non-Muslim religions. In those emirates that officially recognize and thereby grant a legal identity to non-Muslim religious groups, only a limited number of Christian groups are granted this recognition. While recognizing the difference between Roman Catholic, Eastern Orthodox, and Protestant Christianity, the authorities make no legal distinction between Christian groups, particularly Protestants. Several often-unrelated Christian congregations are required to share common facilities because of official limitations on the number of Christian denominations that are recognized officially. Non-Muslim and non-Christian religions are not recognized legally in any of the emirates. Partly as a result of emirate policies regarding recognition of non-Muslim denominations, facilities for Christian congregations are far greater in number and size than those for non-Christian and non-Muslim groups, despite the fact that Christians are a small minority of non-Muslim foreigners.

Major cities have Christian churches, some that were built on land donated by the ruling families of the emirates in which they are located. In Sharjah a new Catholic church was opened in 1997 and a new Armenian Orthodox church in 1998, both with public ceremonies. The Government of Dubai Emirate donated a parcel of land in Jebel Ali in 1998 for the construction of a facility to be shared by four Protestant congregations and a Catholic congregation. Also in 1998, land was designated in Jebel Ali for the construction of a second Christian cemetery, and Abu Dhabi Emirate donated land for the expansion of existing Christian burial facilities.

In 1999 land was designated in Ras Al-Khaimah Emirate for the construction of a new Catholic church.

Dubai permits one Hindu temple and two Sikh temples to operate. There are no such temples elsewhere in the country. There are no Buddhist temples; however, Buddhists, along with Hindus and Sikhs in cities without temples, conduct religious ceremonies in private homes without interference. In 1998 Abu Dhabi Emirate donated land for the establishment of the country's first Baha'i cemetery. There are only two operating cremation facilities and associated cemeteries for the large Hindu community, one in Dubai and one in Sharjah. Official permission must be obtained for their use in every instance, posing a hardship for the large Hindu community, and neither accepts Hindus who have died in other parts of the country for cremation or burial. The remains of Hindus who die outside Dubai and Sharjah in all cases must be repatriated to their home country at considerable expense.

Non-Muslims in the country are free to practice their religion but may not proselytize publicly or distribute religious literature. The Government follows a policy of tolerance towards non-Muslim religions and in practice interferes very little in the religious activities of non-Muslims. Apparent differences in the treatment of Muslim and non-Muslim groups often have their origin in the dichotomy between citizens and noncitizens rather than religious difference.

The Government permits foreign clergy to minister to foreign populations, and non-Muslim religious groups are permitted to engage in private charitable activities and to send their children to private schools. Apart from donated land for the construction of churches and other religious facilities, including cemeteries, non-Muslim groups are not supported financially or subsidized by the Government. However, they are permitted to raise money from among their congregants and to receive financial support from abroad. Christian churches are permitted to advertise openly certain church functions, such as memorial services, in the press.

The conversion of Muslims to other religions is regarded with extreme antipathy. While there is no law against missionary activities, authorities have threatened to revoke the residence permits of persons suspected of such activities, and customs authorities have questioned the entry of large quantities of religious materials (Bibles, hymnals, etc.) that they deemed in excess of the normal requirements of existing congregations, although in most instances the questions have been resolved and the items have been admitted.

There have been reports that customs authorities are less likely to question the importation of Christian religious items than other non-Muslim religious items, although in virtually all instances importation of the material in question eventually has been permitted.

Although emirate immigration authorities routinely ask foreigners to declare their religious affiliation, the Government does not collect or analyze this information, and religious affiliation is not a factor in the issuance or renewal of visas or residence permits.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—There are no limitations on freedom of movement or relocation within the country, except for security areas such as defense and oil installations.

Unrestricted foreign travel and emigration are permitted to male citizens, except those involved in financial disputes under adjudication. A husband may bar his wife and children from leaving the country. All citizens have the right to return. There is a small population of stateless residents, many of whom have lived in the country for more than one generation. Many stateless residents are originally from Iran and South Asia; other stateless residents include Bedouins or the descendants of Bedouins who are unable to prove that they are of UAE origin. There is no formal procedure for naturalization, although foreign women receive citizenship by marriage to a citizen, and anyone may receive a passport by presidential fiat. Because they are not of the original tribal groups, naturalized citizens may have their passports and citizenship status revoked for criminal or politically provocative actions. Such revocations are rare.

Citizens are not restricted in seeking or changing employment. However, foreign nationals in specific occupations, primarily professional, may not change employers without first leaving the country for 6 months. During 1997 in an effort to liberalize employment regulations, the federal Government removed the 6-month ban from some of these professions. Some foreign nationals involved in disputes with employers, particularly in cases in which the employee has signed a contract containing a clause not to compete, may be blacklisted by the employer with immigration authorities, effectively preventing their return for a specified period of time.

The Government has not formulated a formal policy regarding refugees, asylees, or first asylum. It may detain persons seeking refugee status, particularly non-Arabs, while they await resettlement in a third country.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

There are no democratically elected institutions, and citizens do not have the right to change their government or to form political parties. Although there are consultative councils at the federal and emirate levels, most executive and legislative power is in the hands of the Federal Supreme Council. The seven emirate rulers, their extended families, and those persons and families to whom they are allied by historical ties, marriage, or common interest wield most political power in their respective emirates. Decisions at the federal level are generally made by consensus among the sheikhs of the seven emirates and leading families.

A federal consultative body, called the Federal National Council, consists of advisers appointed by the rulers of each emirate. The FNC has no legislative authority but may question ministers and make policy recommendations to the Cabinet. Its sessions usually are open to the public.

The choice of appointing a new emirate ruler falls to the ruling family in consultation with other prominent tribal figures. By tradition rulers and ruling families are presumed to have the right to rule, but their incumbency ultimately depends on the quality of their leadership and their responsiveness to their subjects' needs. Emirate rulers are accessible, in varying degrees, to citizens who have a problem or a request.

Tradition rather than the law limits the political role of women. Women are free to hold government positions, but there are few women in senior positions. There are no female members of the FNC. In December President Zayid's wife, Sheikha Fatima, who is chairwoman of the Women's Federation, renewed her call for women to participate in the country's political life. In 1998 Sheikha Fatima had announced the Government's intention to appoint a number of women as special observers at the FNC. These observers are to learn the procedures of the FNC, and it is expected that some later may be appointed as members. The observers have not been named yet. In a number of press interviews, Sheikha Fatima has stated that women participate in the preparation of legislation dealing with social issues through recommendations made by the Women's Federation, and that women are only "steps away" from full political participation. At the same time, she emphasized her view that the eventual appointment of women to the FNC and other government positions would be "a responsibility rather than an honor," requiring careful prior preparation. Although the small Shi'a minority has enjoyed commercial success, few Shi'a Muslims have top positions in the federal Government.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no independent human rights groups. Government restrictions on freedom of the press and public association make it difficult for such groups to investigate and publicly criticize the Government's human rights restrictions. A human rights section exists within Dubai Emirate's police force to monitor allegations of human rights abuses. Informal public discussions of human rights, press reports of international human rights forums' activities, and media coverage of selected local human rights problems, such as foreign workers' conditions, are increasing public awareness of human rights.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality before the law with regard to race, nationality, religious beliefs, or social status. However, there is institutional and cultural discrimination based on sex, nationality, and religion.

Women.—There are reported cases of spousal abuse. Police units are stationed at major public hospitals so that victims of abuse may file complaints, or attending physicians may call upon the police to interview suspected victims of abuse. However, women sometimes are reluctant to file formal charges for social, cultural, and economic reasons. When abuse is reported to the local police, authorities may take action to protect women. The laws protect women from verbal abuse or harassment from men, and violators are subject to criminal action. There continue to be credible reports of abuse of female domestic servants by some local and foreign employers (see Section 6.e.).

Prostitution has become an increasingly open phenomenon in recent years, particularly in Dubai. Although no accurate statistics are available, substantial numbers of women appear to be arriving from the states of the former Soviet Union for temporary stays during which they engage in prostitution and possibly other activities connected with organized crime. Substantial numbers of prostitutes also appear to come from Africa and Central and South Asia. In 1999 Dubai police established

special patrols in areas frequented by prostitutes in an effort to control the phenomenon. There were credible reports of trafficking in women (see Section 6.f.).

Women play a subordinate role in this family-centered society because of early marriages and traditional attitudes about women's duties. There are no legal prohibitions against women owning property or businesses; however there are restrictions against female ownership. Women must inherit property or businesses from a father or husband, or, if unmarried, receive a grant of land from the ruling family in the emirate in which they reside. In the case of women who are married, the land must be granted to the husbands. Husbands may bar their wives and children from leaving the country (see Section 2.d.), and a married woman may not accept employment without her husband's written consent, although such permission usually is granted. Shari'a, according to the Maliki school of jurisprudence, is applied in cases of divorce. Women are granted custody of female children until they reach the age of maturity and are granted temporary custody of male children until they reach the age of 12. If the mother is deemed unfit, custody reverts to the next able female relative on the mother's side. A woman who remarries may forfeit her right to the custody of children from a previous marriage. Shari'a permits polygyny. In November the Government issued a new ruling granting a woman a divorce if it can be proved that her husband has deliberately stayed away from here for 3 months and has not paid for her upkeep, or for the maintenance of her children.

There are no legal prohibitions against a woman owning her own business. Traditionally, professional women, including doctors, architects, and lawyers, have not faced restrictions in licensing businesses in their names. However, there are credible

Children.—The Government is committed to the welfare of children. Children who are citizens receive free health care and education, and are ensured housing. A family also may be eligible to receive aid from the Ministry of Labor and Social Welfare for sons and daughters who are under the age of 18, unmarried, or disabled. There is no pattern of societal child abuse.

People with Disabilities.—There is no federal legislation requiring accessibility for the disabled. However, the Ministry of Labor and Social Affairs sponsors centers that provide facilities and services to the disabled. Services range from monthly social aid funds, special education, and transportation assistance, to sending a team to the Special Olympics.

National/Racial/Ethnic Minorities.—Discrimination based on national origin, while not legally sanctioned, is prevalent. Employment, immigration, and security policy, as well as cultural attitudes towards foreign workers, are conditioned by national origin.

Section 6. Worker Rights

a. The Right of Association.—There are no unions and no strikes. The law does not grant workers the right to organize unions or to strike. Foreign workers, who make up the bulk of the work force, risk deportation if they attempt to organize unions or to strike.

Since 1995 the UAE has been suspended from the U.S. Overseas Private Investment Corporation insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—The law does not grant workers the right to engage in collective bargaining, and it is not practiced. However, some professional associations are granted greater freedom to raise work-related concerns, to lobby the Government for redress, or to file a grievance with the Government. Workers in the industrial and service sectors normally are employed under contracts that are subject to review by the Ministry of Labor and Social Affairs. The Ministry of Interior's Naturalization and Residency Administration is responsible for reviewing the contracts of domestic employees as part of residency permit processing. The purpose of the review is to ensure that the pay satisfies the employee's basic needs and secures a means of living. For the resolution of work-related disputes, workers must rely on conciliation committees organized by the Ministry of Labor and Social Affairs or on special labor courts.

Labor laws do not cover government employees, domestic servants, and agricultural workers. The latter two groups face considerable difficulty in obtaining assistance to resolve disputes with employers. While any worker may seek redress through the courts, this process puts a heavy financial burden on those in lower income brackets.

In Dubai's Jebel Ali Free Zone, the same labor laws apply as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is illegal. However, some unscrupulous employment agents bring foreign workers to the country under conditions approaching indenture. There are credible reports that some women from Central Europe and Central and South Asia, who are brought to the country for service sector employment, later are forced into prostitution (see Section 6.f.). The Government prohibits forced and bonded child labor and generally enforces this prohibition effectively. However, the use of small children as camel jockeys is a problem. In September the Abu Dhabi police took into protective custody and repatriated a 10-year-old Pakistani boy who allegedly had been kidnaped from his village in Pakistan and brought to the UAE to work as a jockey in camel races. In 1999 authorities acting on information provided by the Pakistani Embassy, located and repatriated an 8-year-old Pakistani boy who allegedly had been kidnaped to work as a camel jockey. Police reportedly are investigating several such cases; however, to date no charges have been filed. There continue to be credible reports that hundreds of underage boys from South Asia, mainly between the ages of 4 and 10, continue to be used as camel jockeys (See Sections 6.d. and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—Labor regulations prohibit employment of persons under the age of 15 and have special provisions for employing those 15 to 18 years of age. The Department of Labor enforces the regulations. Other regulations permit employers to engage only adult foreign workers. In 1993 the Government prohibited the use of children under the age of 15 as camel jockeys and the use of jockeys who do not weigh more than 99 pounds. The Camel Racing Association is responsible for enforcing these rules. However, credible sources report that almost all camel jockeys are children under the minimum employment age (see Section 6.f.). Relevant labor laws sometimes are enforced against criminal trafficking rings, but not against those who own racing cam-

els and employ the children, because such owners come from powerful local families that are in effect above the law. According to credible sources, there were at least 20 cases during the year of underage camel jockeys who were repatriated to their countries of origin. In September the Abu Dhabi police took into protective custody and repatriated a 10-year-old Pakistani boy who allegedly had been kidnaped from his village in Pakistan and brought to the country to work as a camel jockey. Reports of underage camel jockeys continued to surface in the local press during the year. In 1999 authorities, acting on information provided by the Pakistani Embassy, located and repatriated an 8-year-old Pakistani boy who allegedly had been kidnaped to work as a camel jockey. Also in 1999, a 4-year-old boy from Bangladesh, who had been used as a camel jockey, was found wandering in the desert after being abandoned there by his handlers. In 1998 a local newspaper reported the hospitalization of a 5-year-old, 44-pound (20-kilogram) abandoned Bangladeshi child who had been used as a jockey and whose leg had been broken by a camel. Police reportedly are investigating several of these cases; however, no charges have ever been filed.

Otherwise, child labor is not tolerated. The Government prohibits forced and bonded child labor and generally enforces this prohibition effectively (see Section 6.c.). The Government does not issue visas for foreign workers under the age of 16 years. Education is compulsory through the intermediate levels (approximately 13 to 14 years' old).

e. Acceptable Conditions of Work.—There is no legislated or administrative minimum wage. Supply and demand determine compensation. However, according to the Ministry of Labor and Social Affairs, there is an unofficial, unwritten minimum wage rate that would afford a worker and family a minimal standard of living. The Labor and Social Affairs Ministry reviews labor contracts and does not approve any contract that stipulates a clearly unacceptable wage (see Section 6.b.).

The standard workday and workweek are 8 hours per day, 6 days per week; however, these standards are not enforced strictly. Certain types of workers, notably domestic servants, may be obliged to work longer than the mandated standard hours. The law also provides for a minimum of 24 days per year of annual leave plus 10 national and religious holidays. In addition manual workers are not required to do outdoor work when the temperature exceeds 112 degrees Fahrenheit.

Most foreign workers receive either employer-provided housing or housing allowances, medical care, and homeward passage from their employers. Most foreign workers do not earn the minimum salary of \$1,090 per month (or \$817 per month, if a housing allowance is provided in addition to the salary) required to obtain residency permits for their families. Employers have the option to petition for a 6-month ban from the work force against any foreign employee who leaves his job without fulfilling the terms of his contract.

The Ministry of Health, the Ministry of Labor and Social Affairs, municipalities, and civil defense units enforce health and safety standards. The Government requires every large industrial concern to employ a certified occupational safety officer. An injured worker is entitled to fair compensation. Health standards are not observed uniformly in the housing camps that are provided for foreign workers. Workers' jobs are not protected if they remove themselves from what they consider to be unsafe working conditions. However, the Ministry of Labor and Social Affairs may require employers to reinstate workers who were dismissed for not performing unsafe work. All workers have the right to lodge grievances with Ministry officials, who make an effort to investigate all complaints. However, the Ministry is understaffed and underbudgeted; complaints and compensation claims are backlogged.

Rulings on complaints may be appealed within the Ministry and ultimately to the courts. However, many workers choose not to protest for fear of reprisals or deportation. The press periodically carries reports of abuses suffered by domestic servants, particularly women, at the hands of some employers. Allegations have included excessive work hours, nonpayment of wages, and verbal and physical abuse.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons, and there were reports that it occurred; however, child smuggling, prostitution, and pornography are crimes.

South Asian boys, generally from Pakistan and Bangladesh, are smuggled into the country by small, organized groups to be used as camel jockeys. Some of the smuggled children reportedly are kidnaped from their families in South Asia, but some apparently are sold to the smugglers by their parents. Hundreds of underage camel jockeys currently work in the country, many of them in the Abu Dhabi Emirate. The largest camel-racing tracks (and associated stables and training facilities) are in Al-Ain and Ghantoot in Abu Dhabi. The gangs provide the stables with the youths, who generally are between the ages of 4 and 10. In May local authorities, working on information provided by the Pakistani Embassy, broke up a smuggling ring involved in illegally transporting underage Pakistani boys into the country to work

as camel jockeys. Local authorities prosecuted the foreign smugglers in this case; however, the authorities did not investigate the citizens involved in the scheme. In September the Abu Dhabi police took into protective custody and repatriated a 10-year-old Pakistani boy who allegedly had been kidnaped from his village in Pakistan and brought to the country to work as a camel jockey. In November the Abu Dhabi police rescued two young Pakistani boys, aged 4 and 6, from an Al-Ain camel farm where they had been forced to work as camel jockeys. The boys allegedly were kidnapped from Pakistan earlier in the year and transported illegally to the country through Iran on forged passports. Upon arrival in the country they reportedly were sold to a Pakistani agent for \$5,500. In 1999 authorities, acting on information provided by the Pakistani Embassy, located and repatriated an 8-year-old Pakistani boy who allegedly had been kidnaped to work as a camel jockey. Also in 1999, a 4-year-old boy from Bangladesh who had been used as a camel jockey was found wandering in the desert after being abandoned there by his handlers. In 1998 a local newspaper reported the hospitalization of a 5-year-old, 44-pound, abandoned Bangladeshi child who had been used as a jockey and whose leg had been broken by a camel (see Sections 5, 6.c., and 6.d.).

In 1993 the Government prohibited the use of children under the age of 15 as camel jockeys and of jockeys who do not weigh more than 99 pounds. The Camel Racing Association is responsible for enforcing these rules. However, few jockeys meet these requirements and relevant labor laws, while sometimes enforced against the criminal trafficking rings, are not invoked against those who own racing camels and employ the children, because such owners come from powerful local families that are in effect above the law (see Sections 5, 6.c., and 6.d.).

Although no accurate statistics are available, substantial numbers of women appear to be arriving from the states of the former Soviet Union for temporary stays, during which they engage in prostitution and possibly other activities connected with organized crime. Substantial numbers of prostitutes also appear to come from Africa and Central and South Asia. While the vast majority of these women are in the country voluntarily, there are credible reports that some women from Central Europe and Central and South Asia, who are brought to the country for service sector employment, later are forced into prostitution. It is unclear whether this activity is conducted with the full knowledge of the women's citizen sponsors, or whether the women's generally noncitizen agents are exploiting the sponsorship system to engage in illicit activity (see Section 5).

In May three Central European women claimed that they were recruited to come work in the country in the hotel business. However, upon their arrival, their local sponsor seized their passports and locked them in a villa with iron gates on the windows. The women claim that they then were forced to work as prostitutes. The three women eventually escaped and obtained protection at their country's embassy in Abu Dhabi. They remained under their embassy's protection for approximately 1 month, after which their passports were returned and they were permitted to depart the country.

The Kazakhstan Government reported in June that it broke up a trafficking ring that specialized in sending women to the UAE for prostitution. Five member of the ring were arrested while trying to board a woman and a 15-year-old girl on a flight to Dubai.

YEMEN

The Republic of Yemen, comprising the former (northern) Yemen Arab Republic (YAR) and (southern) People's Democratic Republic of Yemen (PDRY), was proclaimed in 1990. Following a brief but bloody civil war in mid-1994, the country was reunified under the Sana'a-based government. President Ali Abdullah Saleh is the leader of the General People's Congress (GPC), which dominates the Government. He was elected by the legislature to a 5-year term in 1994, and was elected to another 5-year term in the country's first nationwide direct presidential election in September 1999, winning 96.3 percent of the vote. The Constitution provides that the President be elected by popular vote from at least two candidates endorsed by Parliament, and the election was generally free and fair; however, there were some problems, including the lack of a credible voter registration list. In addition the President was not opposed by a truly competitive candidate because the candidate selected by the leftist opposition did not receive the minimum number of votes required to run from the GPC-dominated Parliament (the other opposition party chose not to run its own candidate, despite its seats in Parliament). The President's sole opponent was a member of the GPC. The first Parliament elected by universal adult

suffrage was convened in 1993. Parliamentary elections were held again in 1997, with the Yemeni Socialist Party (YSP), formerly the main party of the PDRY and a previous coalition partner of the GPC, leading an opposition boycott. The GPC won an absolute majority in the 1997 Parliament, with the opposition Islamist and tribal Yemeni Grouping for Reform (Islaah) as the only other major party represented. International observers judged the elections as reasonably free and fair, while noting some problems with the voting. The Parliament is not yet an effective counterweight to executive authority, although it increasingly demonstrates independence from the Government. Real political power rests with the executive branch, particularly the President. The judiciary is nominally independent, but is weak and severely hampered by corruption, executive branch interference, and the frequent failure of the authorities to enforce judgments.

The primary state security apparatus is the Political Security Organization (PSO), an independent agency that reports directly to the President. The Criminal Investigative Department (CID) of the police reports to the Ministry of Interior and conducts most criminal investigations and makes most arrests. The Central Security Organization (CSO), also a part of the Ministry of Interior, maintains a paramilitary force. The civilian authorities do not maintain effective control of the security forces. Members of the security forces, particularly the PSO, committed numerous, serious human rights abuses.

Yemen is a very poor country; about 40 percent of the population live in poverty. Its embryonic market-based economy, despite a major economic reform program, remains impeded by excessive government interference and widespread corruption. Its annual per capita gross national product (GNP) fell from \$377 in 1997 to \$342 in 1998, but rose to \$368 in 1999. Agriculture accounts for approximately 22 percent of GNP, industry for approximately 27 percent, and services for approximately 51 percent. Oil is the primary source of foreign exchange. Other exports include fish, livestock, coffee, and detergents. Remittances from citizens working abroad (primarily in Saudi Arabia and other Arab Persian Gulf states) also are important. However, remittances were reduced sharply after Saudi Arabia and other Gulf states expelled up to 850,000 Yemeni workers during the Gulf War because of the Government's lack of support for the U.N. coalition. The Gulf states also suspended most assistance programs, and much Western aid was reduced. Foreign aid has begun to reemerge as an important source of income. The unemployment rate is estimated at 35 percent, and is highest in the southern governorates, where, prior to unity, most adults were employed by the PDRY Government.

The Government generally respected its citizens' human rights in some areas and continued to improve its human rights performance; however, its record was poor in several other areas, and serious problems remain. There are significant limitations on citizens' ability to change their government. Security forces committed a number of extrajudicial killings. Members of the security forces tortured and otherwise abused persons, and continued to arrest and detain citizens arbitrarily, especially oppositionists in the south and other persons regarded as "secessionists." However, during the year, the Government issued directives intended to align the country's arrest, interrogation, and detention procedures more closely with internationally accepted standards, and such directives generally were implemented in practice. Prison conditions are poor, and some detainees were held in private prisons not authorized by the Government. However, during the year, with the cooperation of the Government, the International Committee of the Red Cross conducted a comprehensive inspection of the country's prisons. PSO officers have broad discretion over perceived national security issues. Despite constitutional constraints, security officers routinely monitor citizens' activities, search their homes, detain citizens for questioning, and mistreat detainees. The Government fails to hold members of the security forces accountable for abuses, and there were no convictions of security officials for abuses during the year. Prolonged pretrial detention is a serious problem, and judicial corruption, inefficiency, and executive interference undermine due process. The Government continued to implement a comprehensive long-term program for judicial reform. The law limits freedom of speech and of the press, and the Government frequently harassed, intimidated, and detained journalists. However, harassment of journalists lessened during the year. Nonetheless, journalists practice self-censorship. The Government at times limits freedom of assembly. The Government imposes some restrictions on freedom of religion, and places some limits on freedom of movement. The Government adopted measures to decentralize government authority by establishing locally elected governorate and district councils. In February the Government hosted a major symposium of the U.N. Commission on Human Rights (UNCHR), chaired by U.N. High Commissioner Mary Robinson, on the human rights aspects of international development. The Government displayed official receptiveness to and support for donor-funded democracy and human rights

programs. Violence and discrimination against women are problems. Female genital mutilation (FGM) is practiced on a limited scale, primarily along the coastal areas of the Red Sea. Although the practice is discouraged publicly, the authorities do not prohibit it. There is some discrimination against the disabled. Discrimination against religious, racial, and ethnic minorities is a problem. The Government influences labor unions. Child labor is a problem.

There was a significant decrease in the number of kidnappings of foreigners, which was at least in part the result of the Government's establishment of a special court to try kidnapers and other violent offenders. The campaign of bombings—the devices sometimes were little more than noise bombs—that had continued for several years, particularly in the southern governorates, appears to have abated, although there were a few explosions during the year. Observers attribute these bombings to tribal disputes, religious extremists, and antigovernment political groups based in the country and abroad.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing.—Security forces committed a number of extrajudicial killings. There were some reports during the year that security forces at checkpoints killed or injured persons whom they believed were engaging in criminal activity and resisting arrest.

In May security forces killed Ghassan Qasim Mani, a student in Al-Dalah governorate, during a violent confrontation between security forces and armed citizens. Another student and four police officers were injured in the confrontation, which occurred while security officials were conducting a weapons search in the vicinity of Al-Jalilah.

In August Sabah Seif Salem reportedly died while being detained in a prison in the Al-Udain district of Ibb governorate. Her family claimed that security officials tortured her to extract a confession of adultery. The director of Ibb security ordered that an autopsy be performed and called in the head of AlUdain's security office for questioning. The investigation found that Salem was pregnant when she was detained for questioning and went into labor while in police custody. She was transported to a clinic, but died as a result of complications during childbirth. Salem's baby also died. The investigation concluded that Salem had not been tortured (see Section 1.c.).

One police officer was killed and eight others wounded after intervening to settle a land dispute in the village of Qud Qarow in Aden governorate; several villagers were wounded, but none were reported killed. The circumstances of the police officer's death were unclear (see Section 1.f.).

No security officials were tried or convicted for abuses during the year.

In July 1999, a court in Tawila in Al-Mahweet governorate convicted the town's security chief and two police officers of first-degree murder for torturing to death a teenager taken into their custody on theft charges in March 1999. All three officials were fired. The security chief was sentenced to 10 years in jail and ordered to pay \$19,000 (3,116,000 riyals) in compensation to the victim's family. The two police officers each were sentenced to 5 years in jail.

There was credible evidence that security forces killed a prisoner in detention in late 1997 or early 1998. Wadia Al-Shaibani, a 22-year-old who was arrested in connection with the July 1997 bombings in Aden, apparently died after suffering a beating at the Soleyban police facility in Aden. Government authorities declined to investigate; they claimed that AlShaibani committed suicide. The Human Rights Committee of the Consultative Council (an advisory board to the President) in 1998 investigated Al-Shaibani's death; however, it was unable to persuade the authorities to investigate the death or to bring charges against security officials.

On October 12, terrorists in a small bomb-laden boat attacked the USS Cole, a U.S. naval ship, as it refueled in Aden harbor. The explosion killed 17 sailors and wounded 39 others. The investigation into the attack was ongoing, and 6 suspects were in custody at year's end.

Tribal violence resulted in a number of killings and other abuses, and the Government's ability to control tribal elements remained limited. In addition, tensions between the Government and various tribes periodically escalated into violent confrontations (see Section 5).

Persons continued to be killed and injured in unexplained bombings and shootings that occurred during the year. In most cases, it was impossible to determine who was responsible for such acts or why they occurred, and there were no claims of responsibility. The Government accused southern oppositionists of perpetrating some incidents, but the opposition denied any involvement. Some cases appeared to have

criminal, religious, or political motives; others appeared to be cases of tribal revenge or land disputes. In June 1998, the President established a committee to study the phenomenon of revenge killings and to make recommendations on how to combat the problem. There was no news on the committee's work or its findings at year's end.

In December 1998, a group of 16 Western tourists was kidnaped by terrorists in Abyan governorate near Mudiya. The next day, government forces surrounded the area and attempted a rescue operation. Four of the hostages and three of the terrorists were killed. There were varying reports as to whether the government forces inadvertently killed any of the hostages in the crossfire. However, at least two apparently were shot deliberately by the kidnapers. The Government has stated that its decision to intervene was based on its belief that the hostages' lives were in immediate danger. The trial of the four surviving terrorists, including Aden-Abyan Islamic Army (AAIA) leader Zein Al-Abidine Al-Mihdar (also known as Abu Hassan), began in January 1999, and in May 1999 they all were found guilty. Abu Hassan, who during his trial publicly and repeatedly admitted to all charges against him, a second Yemeni, Abdallah Al-Jundaydi, and a Tunisian, were sentenced to death; the remaining defendant was sentenced to 20 years' imprisonment. The Tunisian's sentence was commuted to 20 years' at the first appellate review, and the Supreme Court in October 1999 commuted Al-Jundaydi's sentence to 20 years as well. Abu Hassan's death sentence was upheld by the Supreme Court in October 1999 and approved by President Saleh. He was executed by firing squad on October 17, 1999. There were no allegations of lack of due process in Abu Hassan's trial or during the subsequent appeal process. The trial of seven additional AAIA members on terrorism charges began in October 1999 and ended in June; the group's leader and a second defendant were convicted and received jail sentences of 7 and 3 years; the remaining five defendants were acquitted (see Section 1.e.).

b. Disappearance.—Members of the security forces continue to arrest and detain citizens for varying periods of time without charge or notification to their families. Many detainees are associated with the YSP or other opposition parties and are accused of being "secessionists." Such detentions are temporary; detainees typically are released within weeks or, at most, months. Those who are not released eventually are charged.

In 1998 at the invitation of authorities, delegations from the UNHRC and Amnesty International visited the country to investigate the whereabouts of persons who have "disappeared" in custody since unification. In 1997 the Government had promised AI that it would look into 27 cases of persons who died after they reportedly "disappeared" while in government custody during the violence associated with the civil war in 1994. In its follow-up report issued in July 1999, AI criticized the Government for not keeping this promise. The Government claims that it responded to AI and passed the results of its investigations to the UNHRC, but that the information AI provided was inadequate for effective investigation and conclusive action. Both the U.N. Committee on Disappearances and AI also continue to allege that there are hundreds of unresolved disappearances dating from the preunity period in the former PDRY, particularly from its 1986 civil war. The Government asserts that it cannot be held responsible for cases that took place within the former PDRY prior to unity; however, it has set up a computer database in the Ministry of Foreign Relations to track disappearances, including those dating from the preunity period. The Government states that the scarcity of records resulting from the country's lack of an effective national registry hindered its attempts during the year to create database files, especially for persons who disappeared in the PDRY in the 1970's. AI has received no credible reports of new disappearances in the last 6 years.

Some tribes seek to bring their political and economic concerns to the attention of the Government by kidnaping and holding hostages. Foreign businessmen, diplomats, and tourists are the principal targets. During the year, eight foreigners were kidnaped (six men, one woman, and one child), as well as a much higher number of citizens. A total of 159 foreigners have been kidnaped since 1992. The legal magazine *Al-Qistas*, in a 1998 study, found that Sana'a, Marib, and Shabwa are the areas in which a foreigner is most likely to be kidnaped. Kidnaping victims rarely are injured, and the authorities generally have been successful in obtaining the negotiated release of foreign hostages. However, in June a Norwegian diplomat on vacation was killed near Sana'a during an exchange of fire between checkpoint police and his abductors.

There has been a marked decline in tribal kidnappings of foreigners, from 13 cases involving 41 persons in 1997 to 10 cases involving 27 persons in 1998 to 9 cases involving 21 persons in 1999 to 6 cases involving 8 persons during the year. Kidnapings had been a persistent problem in the past, due to the judiciary's frequent failure to impose sentences against accused kidnapers because some persons

linked to kidnappings were members of prominent tribes or had links with such tribes. In most cases, the kidnappings were settled out of court, with no suspects facing trial; however, this practice has changed. In August 1998, the Government issued by presidential decree a law that stipulated severe punishments up to and including capital punishment for persons involved in kidnapping, "carjacking," attacking oil pipelines, and other acts of banditry and sabotage. In October 1999, the Government announced the establishment of a special court in Sana'a to implement this law and created a special prosecutor to investigate and try those charged under its provisions. In May the court sentenced an individual who had kidnapped three German tourists in November 1999 to 12 years in jail. In June the kidnaper of an American in 1997, and later a group of European tourists, received a 20-year sentence; in July two additional kidnappers received 15-year jail sentences. The arrests, trials, and convictions continue. The Government's prosecution of persons charged with kidnapping appears to have had a deterrent effect. There were no reports of tribal opposition or interference in the arrests or the judicial process connected with these cases.

c. Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.—The Constitution is ambiguous on its prohibition of cruel or inhuman punishment; however, members of the security forces tortured and otherwise abused persons in detention. Arresting authorities are known to use force during interrogations, especially against those arrested for violent crimes. Detainees sometimes are confined in leg-irons and shackles, despite the passage of a law in 1998 outlawing this practice.

The Government has acknowledged publicly that torture takes place but has claimed that the use of torture is not government policy. Nevertheless, the Government has not taken effective steps to end the practice or to punish those who commit such abuses. A government prosecutor has cited illiteracy and lack of training among police and security officials as reasons for the persistence of the use of undue force in prisons; a human rights activist has suggested that corruption and pressure from superiors to produce convictions also plays a role. The immunity of all public employees from prosecution for crimes allegedly committed while on duty also hinders accountability; prosecutors must obtain permission from the Attorney General to investigate members of the security forces, and the head of the Appeals Court formally must lift their immunity before they are tried. Low salaries for police officers, about \$37 to \$56 (6,000 to 9,000 riyals) per month, also contribute to corruption and police abuse.

In August Sabah Seif Salem reportedly died while being detained in a prison in the Al-Udain district of Ibb governorate. Her family claimed that security officials tortured her to extract a confession of adultery. The director of Ibb security directed that an autopsy be performed and called in the head of Al-Udain's security office for questioning. The investigation found that Salem was pregnant when she was detained for questioning and went into labor while in police custody. She was transported to a clinic, but died as a result of complications during childbirth. Salem's baby also died. The investigation concluded that Salem had not been tortured (see Section 1.a.).

In July 1999, a court convicted three security force officials of murder for torturing a teenager to death (see Section 1.a.); however, there were no reported convictions of security officers for abuses during the year. In February Major Hisham Al-Ghazali, the most senior of three CID officials convicted of torture in 1998, was reassigned to investigative duties. Abdullah Al-Qaradi, the prosecutor for investigation and security for Sana'a governorate, objected to the reassignment, but he was overruled by the CID's Director General, Hussein Ali Haitham.

In April 1999, Sana'a municipality police arrested Naji Saleh Al-Khowlani for his alleged involvement in a car theft ring. Al-Khowlani was held for 2 months, during which time prison officials reportedly tortured him during regular nightly interrogation sessions in which officials would attempt to elicit a confession and extract information by burning him with a cigarette lighter. A medical report documented burn marks and other injuries on Al-Khowlani's body. No action was taken during the year to investigate this case.

The trial of seven alleged members of the AAIA on terrorism charges, which began in October 1999, ended in June. The group's leader, Saleh Haidara Al-Atwi, and another defendant, Haidara Nasser Al-Mashraqi, were sentenced to 7 and 3 years in prison, respectively. The remaining five defendants were acquitted. Two of the defendants were tried in absentia. Four claimed that the prosecution coerced and tortured them into making self-incriminating statements and confessions (see Section 1.e.). The judge issued a ruling prohibiting the publication of details about the trial.

The eight Britons and two Algerians convicted in Aden in August 1999 of possession of illegal weapons and explosives and conspiring to commit terrorist acts in Aden claimed during their trial during the year that they had been tortured; two claimed that they had been abused sexually (see Section 1.e.).

In 1998 several individuals on trial in Aden in connection with a series of bombings in 1997 testified publicly that they had been tortured. One defendant claimed that he had been raped while in custody. There is credible evidence that one other person arrested in connection with the same bombings died as a result of beatings inflicted by security officials. According to eyewitnesses who also claimed to have been tortured, Wadia Al-Shaibani was beaten first in a criminal security office in Aden, then transferred to the Soleyban police facility, where he was tortured to death (see Section 1.a.). No charges have been filed against security officials.

In a related case in 1998 in which 31 persons were accused of conspiracy in Mahra governorate in 1997, several of the suspects claimed that they had confessed only because they had been tortured. Defense attorneys asserted the existence of films that would prove their clients' allegations that they had been beaten, and asked the judge to view the films. The judge denied this request. In late October 1998, the court sentenced three of the defendants to death, found one innocent, and sentenced the others to jail for periods ranging from 6 to 10 years.

The Constitution may be interpreted as permitting amputations in accordance with Shari'a (Islamic law). There have been no reports of amputations since 1991. However, a small number of persons who have been found guilty of theft and sentenced to amputation remain in jail awaiting the implementation of their sentences. The Shari'a-based law permits physical punishment such as flogging for some crimes. For example, in July two individuals convicted of kidnaping were sentenced to 80 lashes (the penalty for the consumption of alcohol) in addition to a period of imprisonment because they had been intoxicated during the commission of their crime. In Ibb governorate in January, Mohamed Tahbit Al-Su'mi, after being tried and convicted, was stoned to death for the 1992 rape and murder of his 12-year-old daughter. Capital punishment usually is carried out by firing squad; stoning is almost unheard of, but was approved in this case due to the unusual brutality of the crime. In rare cases involving particularly egregious crimes, such as the rape and murder of children, the law permits the ritual display in public of the bodies of executed criminals. The ostensible purpose of this practice is to demonstrate to the families of victims that justice has been served and to prevent blood feuds between tribes.

Police used excessive force in September when they intervened to settle a land dispute in the village of Qud Qarow in Aden governorate (see Sections 1.a. and 1.f.).

Tribal violence continued to be a problem during the year, causing numerous deaths and injuries (see Section 5).

Prison conditions are poor and do not meet internationally recognized minimum standards. Prisons are overcrowded, sanitary conditions are poor, and food and health care are inadequate. Inmates depend on relatives for food and medicine. Many inmates lack mattresses or bedding. Prison authorities often exact money from prisoners and refuse to release prisoners until family members pay a bribe. Tribal leaders misuse the prison system by placing "problem" tribesmen in jail, either to punish them for noncriminal indiscretions or to protect them from retaliation or violence motivated by revenge. Refugees, persons with mental problems, and illegal immigrants sometimes are arrested without charge and placed in prisons with common criminals.

Conditions are equally poor in women's prisons, in which children likely are to be incarcerated along with their mothers. By custom and preference, babies born in prison generally remain in prison with their mothers. Female prisoners sometimes are subjected to sexual harassment and violent interrogation by male police and prison officials. The law requires male members of the families of female prisoners to arrange their release; however, female prisoners regularly are held in jail past the expiration of their sentences because their male relatives refuse to authorize their release due to the shame associated with their alleged behavior. The Government's Supreme National Committee for Human Rights, working with the National Women's Committee, has developed a plan to establish a shelter in Sana'a that would house 50 of these abandoned women and provide them with vocational education. The committee is seeking donor assistance and hopes to establish additional shelters in other governorates.

Unauthorized "private" prisons are a problem. Most such prisons are in rural areas controlled by tribes, and many are simply a room in a tribal sheikh's house. Persons detained in such prisons often are held for strictly personal or tribal reasons and without trial or sentencing. There are credible reports of the existence of private prisons in government installations, although these prisons are not sanc-

tioned by senior officials. In July Mohamed Naji Alao, a parliamentarian and founder of the human rights NGO the Organization for the Defense of Human Rights, discovered that several private prisons were being operated at government facilities in Sana'a. He reported them to the President, who immediately ordered the unlawful prisons closed, and the offenders arrested. In April 1999, the chairman of the Sana'a governorate prosecutor's office, Salem Ahmed Al-Shaiba, inspected several illegal prisons operated by the Sana'a governor's office and sent his findings to the Attorney General. According to Al-Shaiba's findings, 19 individuals had been imprisoned beyond their legal sentence; several prisoners were being detained in handcuffs illegally; numerous individuals were being detained illegally in connection with civil or commercial cases or because they had disobeyed a tribal sheikh; and 43 persons from one region (Shibam Al-Gharas) were being detained on the same charge (shooting at a truck). Al-Shaiba informed the Attorney General that he had requested then-Sana'a governor Naji Al-Sufi to release the illegally imprisoned individuals, but that the governor had taken no action. Later that year, Al-Shaiba reported being harassed by then-governor Al-Sufi. The Attorney General took no action on the findings of the inspection report. Al-Shaiba took a voluntary leave of absence from his post, and eventually left the country. Governor Al-Sufi was relieved of his post in October 1999, but was never charged with a crime (see Section 1.e.).

During the year, the Government issued directives intended to align the country's arrest, interrogation, and detention procedures more closely with internationally accepted standards. For example, the Ministry of Interior created new detention/interrogation centers in each governorate (including four in Sana'a), to prevent suspects from being detained with convicted criminals. The Government also formally instructed police and prison officials that detainees be provided adequate food, that prisoners be released upon completion of their sentences, and that juveniles (with the exception of those convicted of murder) be incarcerated in facilities separated from adults. In addition, the Government created a female police force and developed regulatory guidance for their activities to better respond to the needs of female prisoners and female victims of crimes. The Government's directives generally were implemented in practice.

In January the Government's Supreme National Committee for Human Rights led a government initiative to establish and finance, along with private sector contributions, a special "charity fund" to be used to enable the release of prisoners who, in keeping with tribal or Islamic law, were being held in prison pending payment of restitution to their victims, despite having completed their sentences. The President celebrated the Islamic holy month of Ramadan by appointing a high-level interministerial committee, chaired by the Minister of Interior, to inspect all major prisons in the country, both to identify prisoners whom the fund could help and to investigate conditions. The inspection committee immediately released persons being held illegally, developed recommendations for reform, and arranged for the eventual release of over 1,000 prisoners who had been held beyond their sentences (in violation of the law) until they could pay restitution. The Human Rights Committee of the Consultative Council continued to conduct spot checks of prisons and to arrange for the expeditious release of persons held improperly.

The Government tightly controls access to detention facilities by NGO's, although it sometimes permits local and international human rights monitors access to persons accused of crimes. During the year, the International Committee of the Red Cross (ICRC), with the Government's full cooperation, conducted a comprehensive inspection of the country's major prisons. While serious problems remain, the ICRC acknowledged the Government's commitment to penal reform and noted that the Government had made significant improvements since the last ICRC inspection (in 1995), especially with regard to the incarceration of mentally ill persons.

The PSO does not permit access to its detention centers.

d. Arbitrary Arrest, Detention, or Exile.—The law provides due process safeguards; however, security forces arbitrarily arrest and detain persons. Enforcement of the law is irregular and in some cases nonexistent, particularly in cases involving security offenses. According to the law, detainees must be arraigned within 24 hours of arrest or be released. The judge or prosecuting attorney must inform the accused of the basis for the arrest and decide whether detention is required. In no case may a detainee be held longer than 7 days without a court order. Despite these constitutional and other legal provisions, arbitrary arrest and prolonged detention without charge are common practices. In April Parliament passed a new Police Law, which established the mandate, duties, and procedures for police. Draft provisions would have permitted police to conduct searches without a warrant and to open fire on gatherings of five or more persons if police suspected imminent violence or criminal activity. Following a campaign by human rights organizations, opposition political parties, and the press, Parliament amended the law to remove the provisions.

In September forces from the CSO used excessive force in attacking the village of Qud Qarow in Aden governorate, reportedly arresting 30 persons (see Sections 1.a. and 1.f.)

During the year, journalists continued to be detained briefly for questioning concerning articles that they wrote that were critical of the Government or that the Government considered sensitive (see Section 2.a.). However, there was a significant decrease in the number of such incidents from the previous year.

The law provides detainees with the right to inform their families of their arrests and to decline to answer questions without an attorney present. There are provisions for bail. In practice many authorities abide by these provisions only if bribed.

Defense lawyers claimed that the eight Britons and two Algerians arrested in December 1998 for possessing illegal weapons and explosives and conspiring to commit terrorist acts in Aden (see Sections 1.c. and 1.e.) were denied their right to legal counsel. They also contended that defense doctors were not permitted to examine their clients in order to investigate allegations of torture and sexual abuse. Several months after the defense's request, the Government arranged for an independent physician to examine those arrested; however, it did not allow the defense to observe the examination and did not provide a report. The trial concluded in August 1999, although according to the law, the violation of the right to counsel should have suspended the case. The court sentenced the main suspects to jail terms of 7 and 3 years, respectively. Five other defendants received jail terms ranging from 5 to 7 years. The seven defendants appealed the verdict. Two of the Britons received 7-month sentences and were ordered released for time served; another, for reasons of poor health, was ordered released for time served. The three returned to the United Kingdom in October 1999.

Citizens regularly complained that security officials did not observe due process procedures when arresting and detaining suspects, particularly those accused of involvement in political violence. There also were complaints that private individuals hired lower-level security officials to intervene on their behalf and harass their business rivals. Security forces sometimes detained demonstrators (see Section 2.b.). In August 1999, then-governor of Sana'a Naji Al-Sufi reportedly ordered the arrest of Hafeed Fadhil, a lawyer representing the opposing party in a case involving one of the governor's friends. In September 1999, he illegally detained judge Mohammed Saad Amer, a member of the Sana'a appeals court, for 2 days (see Section 1.e.). The governor was relieved of his post in October 1999.

In cases where a criminal suspect is at large, security forces sometimes detain a relative while the suspect is being sought. The detention may continue while the concerned families negotiate compensation for the alleged wrongdoing. Arbitration, rather than the court system, commonly is used to settle cases.

The Government has failed to ensure that detainees and prisoners are incarcerated only in authorized detention facilities. The Ministry of Interior and the PSO operate extrajudicial detention facilities. A large percentage of the total prison population consists of pretrial detainees. There have been allegations that a large number of persons have been imprisoned for years without documentation concerning charges against them, their trials, or their sentences.

Aziz Mohamed Musaid, who was arrested in Taiz in September 1998 and charged with intent to commit adultery, has not yet been brought to trial and remains in prison because the presiding judge, Abdul Jabar Taha Al-Kharasani, has refused to adjudicate the case. The charges did not appear to be supported by solid evidence, and the local press has characterized Al-Kharasani as corrupt. In October 1999, Al-Kharasani was ordered by the Minister of Interior to turn over his cases, including Musaid's, to another judge, but he has refused to do so.

While some cases of those being held without charge have been redressed through the efforts of local human rights groups and government inspection missions (and some illegally detained prisoners released), the authorities have not investigated or resolved these cases adequately.

Unauthorized, private prisons also exist in tribal areas in which the Government does not exercise authority effectively. Persons detained in these prisons often are held for strictly personal reasons and without trial or sentencing (see Sections 1.c. and 1.e.).

The Government does not use forced exile. However, at the end of the 1994 civil war, the Government denied amnesty to the 16 most senior leaders of the armed, secessionist Democratic Republic of Yemen (DRY) who fled abroad. Although they were not forced into exile, they are subject to arrest if they return. The trial of the so-called "16" concluded in March 1998 (see Section 1.c.).

e. Denial of Fair Public Trial.—The Constitution provides for an "autonomous" judiciary and independent judges; however, the judiciary is not fully independent, and is weak and severely hampered by corruption, executive branch interference, and

the frequent failure of the authorities to enforce judgments. Judges are appointed by the executive branch, and some have been harassed, reassigned, or removed from office following rulings against the Government. For example, there were credible reports that in 1999 the governor of Sana'a Naji Al-Sufi repeatedly interfered with and attempted to intimidate members of the judiciary, including by assaulting a defense lawyer, detaining at least two judges, and harassing the chairman of Sana'a governorate's prosecutor's office, Salem Ahmed Al-Shaiba, after Al-Shaiba reported to the Attorney General that the governor's office was running illegal prisons (see Section 1.c.). Governor Al-Sufi was relieved of his post in October 1999, but no legal action was taken against him. Al-Shaiba has left the country. Many litigants maintain, and the Government acknowledges, that a judge's social ties and susceptibility to bribery sometimes have greater influence on the verdict than the law or the facts of the case. Many judges are poorly trained, and some closely associated with the Government often render decisions favorable to it. The judiciary is hampered further by the Government's frequent reluctance to enforce judgments. Tribal elements sometimes threaten and harass members of the judiciary. For example, in August members of the Bani Dhubian tribe kidnaped judge Abdu Rahman Abu Taleb, who was presiding over a land dispute case involving the tribe.

There are five types of courts: Criminal; civil and personal status (for example, divorce and inheritance); kidnaping/terrorism; commercial; and court martial.

All laws are codified from Shari'a, under which there are no jury trials. Criminal cases are adjudicated by a judge, who plays an active role in questioning witnesses and the accused. Under the Constitution and by law, the Government must provide attorneys for indigent defendants; however, in practice this never occurs. Despite a stipulation that the Government provide (and fund) legal aid to indigent defendants, the law does not explicitly prohibit trying criminal defendants without a lawyer, and the judicial budget currently does not allow for defense attorneys. Judges sometimes "appoint" attorneys present in their courtrooms to represent indigent defendants; however, such attorneys are not required legally to take the case, although most accept in order to avoid displeasing judges before whom they must appear later.

By law prosecutors are a part of the judiciary and independent of the Government; however, in practice prosecutors look upon themselves as an extension of the police. They do not receive the normal judicial training that judges do, nor do they practice their legal obligation to prosecute police who delay reporting arrests and detentions.

Defense attorneys are allowed to counsel their clients, address the court, and examine witnesses. Defendants, including those in commercial courts, have the right to appeal their sentences. Trials are public; however, all courts may conduct closed sessions "for reasons of public security or morals." Foreign litigants in commercial disputes have complained of biased rulings. However, some foreign companies have won cases against local defendants, and some such decisions have been enforced.

In addition to regular courts, the law permits a system of tribal adjudication for noncriminal issues, although in practice tribal "judges" often adjudicate criminal cases as well. The results of such mediation carry the same if not greater weight as court judgments. Persons jailed under the tribal system usually are not charged formally with a crime but stand publicly accused of their transgression.

Prior to unification, approximately half of the judges working in southern Yemen were women. However, after the 1994 civil war, conservative leaders of the judiciary reassigned many southern female judges to administrative or clerical duties. Although several female judges continue to practice in Aden, there are no female judges in northern courts.

The Government continued the program it began in late 1997 to reform the judiciary. This comprehensive, long-term reform program is intended to improve the operational efficiency and statutory independence of the judiciary by placing reform-minded personnel into the courts; forming an inter-ministerial council to oversee the reform project; publishing a judicial code of ethics; and making the Supreme Court smaller, more efficient, and less corrupt. Foreign donors have offered to provide assistance in implementing judicial reform, which the Government has accepted. While the program has not yet been completed, some attorneys cite improvements, including a reduction in the number of Supreme Court justices from 90 to 40, an increase in judges' salaries in order to deter corruption, an increase in the Ministry of Justice's budget, and participation by judges in workshops and study tours conducted by foreign judicial officials. However, the reform program's effect is not yet clear. In October 1999, the Government established a special court to try persons charged with kidnaping, "carjacking," attacking oil pipelines and other acts of banditry and sabotage (see Section 1.b.). Several persons tried in this special court have received lengthy jail sentences, which appears to have had a deterrent effect on tribal kidnappings.

In February 1999, a U.N. Development Program (UNDP) team visited the country to conduct an assessment that would serve as the basis of a second judicial reform program, which was scheduled to begin in January and end in 2002. In March 1999, the team noted the Government's willingness to address long-standing issues of accountability and transparency, and to implement laws more effectively. The program's goals are to modernize Ministry of Justice equipment, improve the country's legal libraries, provide special training for the Attorney General's office, enhance public awareness of the rule of law, and secure a building for the Supreme Court. The UNDP continues to seek donor funding for the program.

Another judicial reform program, financed by international assistance, was initiated in January and is to last through March 2002. The program focuses on the Ministries of Justice and of Legal and Parliamentary Affairs and is to provide training in business and commercial law for judges; a diagnostic study of judicial education curriculum; training on drafting of legislation; and a review of the country's commercial laws to identify and fix gaps or inconsistencies. The program is ongoing.

The security services continued to arrest and prosecutors charge and try persons alleged to be linked to various shootings, explosions, bombings, and other acts of violence. Citizens and human rights groups alleged that the judiciary did not observe due process standards in these cases.

Eight Britons and two Algerians who were arrested in December 1998 were tried from February to August 1999 in Aden on charges of possessing illegal weapons and explosives and conspiring to commit terrorist acts. The 6-month trial did not meet minimum international standards for due process. Defense lawyers claimed that the prosecution lacked adequate evidence, and that the defendants were tortured, sexually abused, and denied access to their lawyers (see Section 1.c.). In August 1999, the court sentenced the main suspects, the 18-year-old stepson and 17-year-old son of Islamic militant Abu Hamza Al-Masri, to jail terms of 7 and 3 years, respectively. The Government has accused Al-Masri, head of the London-based organization Supporters of Shari'a, of involvement with the AAIA, which has carried out at least one fatal terrorist act in Yemen. Five other defendants received jail terms ranging from 5 to 7 years. The seven defendants appealed the verdict. Two of the Britons received 7-month sentences and were ordered released for time served; another, for reasons of poor health, was ordered released for time served in early summer 1999. Their release was delayed because both the defense and the prosecution appealed the verdicts. The Appeals Court upheld the verdicts, and the three were released. They returned to the United Kingdom in October 1999.

The trial of seven additional AAIA members on terrorism charges, which began in October 1999, ended in June. Two were found guilty and given jail sentences; the remaining five were acquitted. Two of the defendants were tried in absentia. Four claimed that the prosecution coerced and tortured them into making self-incriminating statements and confessions (see Section 1.c.). The judge issued a ruling prohibiting the publication of details about the trial.

The Government claims that it does not hold political prisoners. Local opposition politicians and human rights activists generally accept this claim; however, some international human rights groups and members of the opposition-in-exile dispute the claim.

At the end of the 1994 civil war, the President pardoned nearly all who had fought against the central Government, including military personnel and most leaders of the unrecognized DRY. The Government denied amnesty to the 16 most senior leaders of the DRY (one of whom now is presumed dead), who fled abroad. The DRY leaders are subject to arrest if they return. In 1997 and 1998, the so-called "16" were tried in absentia on various charges, including forming a secessionist government, conspiracy, and forming a separate military. All but two were found guilty, and in March 1998, a judge sentenced five of the defendants to death and 3 to 10 years in jail. Six persons received suspended sentences, and two were acquitted. Many opposition figures have urged the President to issue an amnesty for those who received sentences, in the interest of promoting reconciliation between the north and south. The President has stated that it is up to the judicial system to pass judgment. Defense attorneys have appealed to a higher court, but no judgment has yet been rendered.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence.—Despite constitutional provisions against government interference with privacy, security forces routinely search homes and private offices, monitor telephones, read personal mail, and otherwise intrude into personal matters for alleged security reasons. Such activities are conducted without legally issued warrants or judicial supervision. Security forces regularly monitor telephone conversations and interfere with the telephone service of government critics and opponents. Security forces sometimes detain

relatives of suspects (see Section 1.d.). Government informers monitor meetings and assemblies (see Section 2.b.).

The law prohibits arrests or the serving of a subpoena between the hours of sundown and dawn. However, persons suspected of crimes sometimes are taken from their homes in the middle of the night, without search warrants.

In September forces from the CSO used excessive force when they intervened to settle a land dispute in the village of Qud Qarow in the Buraiqah district of Aden governorate. The dispute was between a businessman, who claimed to have purchased land in the adjacent mountains where he had built a quarry, and armed villagers, who claimed that they, not the Government, owned the land and were due compensation. During an initial confrontation, one police officer was killed and eight others wounded; several villagers were wounded, but none were reported killed. The circumstances of the police officer's death were unclear. In response, CSU forces charged the village, reportedly arresting 30 persons, mistreating citizens, looting and destroying houses, and leaving 200 families homeless.

Jews traditionally face social (but not legal) restrictions on their residence and their employment (see Section 5).

According to a 1995 Ministry of Interior regulation, no citizen may marry a foreigner without Interior Ministry permission (see Section 5). This regulation does not carry the force of law, and appears to be enforced irregularly. However, some human rights groups have raised concerns about the regulation.

An estimated 16,000 persons use the Internet, and 5,371 persons subscribe to it. The Government does not impose restrictions on Internet use, but most persons find that equipment and subscriptions costs are prohibitively high. Teleyemen, a parastatal company under the Ministry of Telecommunications, is the country's sole Internet service provider. According to Teleyemen (see Section 2.a.), the Government blocks sexually explicit web sites; however, with the exception of mowj.com, which is the web site of the Yemeni National Opposition Front (MOWJ), it does not block politically oriented web sites. For example, Abu Hamza's web page (see Section 1.e.) is not blocked. The Government claims that it does not monitor Internet usage, but some persons suspect their e-mail messages are read by security authorities. There have been no reports that the Government has taken action against Internet users.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution restricts freedom of speech and of the press “within the limits of the law,” and the Government influences the media and limits press freedom. Some security officials attempt to influence press coverage by threatening, harassing, and detaining journalists. Although most citizens are uninhibited in their private discussions of domestic and foreign policies, some are cautious in public, fearing harassment for criticism of the Government. The Penal Code criminalizes, with fines and up to 5 years in jail, “the humiliation of the State, the Cabinet, or parliamentary institutions,” the publication of “false information” that “threatens public order or the public interest,” and “false stories intended to damage Arab and friendly countries or their relations with Yemen.”

The relative freedom of the press permitted between unification (1990) and the civil war (1994) has not been reestablished. An atmosphere of government pressure on independent and political party journals continues at a higher level than before the civil war. The international human rights group the Committee to Protect Journalists continued to criticize the Government for restrictions, harassment, and arbitrary detention directed at journalists.

The Ministry of Information influences the media by its control of most printing presses, by subsidies to certain newspapers, and by its ownership of the country's sole television and radio outlets. Only one newspaper, the thrice-weekly Aden independent *Al-Ayyam*, owns its own press. The Government selects the items to be covered in news broadcasts, and often does not permit broadcast reporting critical of the Government. However, during the 1999 presidential election campaign, the media extensively covered both candidates and reported in full the many critical comments made by the President's opponent. The Government televises parliamentary debates but may edit them selectively to remove criticism.

In 1998 the Government implemented regulations for the 1990 Press Law. The new regulations specify that newspapers must apply annually to the Government for licensing renewal, and that they must show continuing evidence of about \$4,375 (700,000 riyals) in operating capital. Some journalists welcomed the new regulations, saying that they were long overdue. Others claimed that they were designed to drive some opposition newspapers out of business.

Although newspapers ostensibly are permitted to criticize the Government, journalists sometimes censor themselves, especially when writing on such sensitive issues as government policies toward the southern governorates, relations with

Saudi Arabia and other foreign governments, and official corruption. The penalties for exceeding these self-imposed limits can be arrest for libel, dismissal from employment, or extrajudicial harassment. Editors-in-chief legally are responsible for everything printed in their newspapers, regardless of authorship. Some journalists reported being threatened by security officials to change the tone and substance of their reporting. Journalists must have a permit to travel abroad, although there were no reports that this restriction was enforced during the year (see Section 2.d.).

During the year, journalists continued to be detained for questioning for short periods of time for writing articles that were critical of the Government or that the Government considered sensitive subjects, primarily issues involving Saudi Arabia. However, there was a decline in the number of such incidents from the previous year, and most individual journalists and the Yemeni Journalists Syndicate agree that extralegal governmental harassment is less of a problem now than it was in the recent past. Some journalists claim that most harassment now comes from the police, in particular the CID, and no longer the PSO. Cases and ongoing trials involving journalists often are not resolved formally, but rather are settled through unofficial agreements between the Government and the journalists.

Two cases during the year involved articles that criticized the Government of Saudi Arabia. In February the Ministry of Information filed a lawsuit against Dr. Qasim Sallam, the secretary general of the opposition Arab Socialist Baath Party, and the party's newspaper, *Al-Ihya Al-Arabi*, for an article Sallam wrote entitled "The Danger-dom of Saudi Arabia," which alleged that there were supporters of Israel in the Saudi leadership. The case was pending at year's end. In August 1999, Jamal Ahmed Amer, a journalist for *Al-Wahdawi* newspaper and member of the opposition Nasserist Party, was detained and held incommunicado for 6 days for writing an article critical of Yemeni-Saudi relations. *Al-Wahdawi*'s editor, Abdelaziz Sultan, also was called in for questioning. In February Amer was tried and found guilty of "harming national interests" and "publishing an article not based on accurate documents." The judge suspended publication of *Al-Wahdawi* for 1 month, banned Amer from practicing journalism for 1 year, and fined Amer \$31 (5,000 riyals). The editors of *Al-Wahdawi* and *Al-Ihya Al-Arabi* claimed that the actions taken against them by the Ministry of Information were a direct result of pressure by the Government of Saudi Arabia. Amer's lawyer appealed the case, which was pending at year's end. Amer continued to write for another newspaper, *Al-Ushbu'*. He has filed a suit against the Minister of Interior; this suit also was pending at year's end.

In March Ali Al-Sarari, editor-in-chief of the YSP newspaper *AlThawri*, received a suspended 3-month prison sentence for publishing a story alleging that two soldiers were being held in the Mukallah prosecutors office on attempted rape charges. The Government claimed that the story was published to inflame north-south tensions.

Also in March, a Sana'a court dismissed the cases brought against the Ministry of Information by the opposition Islaah, YSP, and Nasserist parties. The parties had claimed that the official media had neglected to broadcast the final communiques issued at the conclusion of their party meetings and conferences in violation of the Constitution's provision of equal media time for all political parties. The official media provides extensive coverage of the GPC.

In May a CID officer destroyed journalist Khaled Al-Hammadi's camera as he attempted to photograph a student demonstration at Sana'a University, despite the fact that he had received permission to cover the event.

Also in May, Hisham Ba Sharahil, the editor of *Al-Ayyam*, was charged with "instigating the use of force and terrorism" and "publishing false information" for publishing an interview with Islamic militant Abu Hamza Al-Masri (see Section 1.e.) in August 1999. He also was charged with "insulting public institutions" for publishing an article critical of the Director of Aden Security. The trial was suspended to allow Ba Sharahil to undergo medical treatment. In February Ba Sharahil also was called in for questioning in connection with an article published in *Al-Ayyam* criticizing the Aden municipal government's allowing the destruction of a building that once had been a synagogue. He again was called in for question in April following publication in *Al-Ayyam* of a letter of support for Ba Sharahil in his dispute with the Director of Aden Security from the secessionist Movement of Self-Determination for South Arabia (HATAM).

In June *Al-Tajammu* newspaper and its editor in chief, Abdulrahman Abdullah, were tried for an article published in November 1999, which accused the Supreme Court of corruption. Abdullah received a 6-month suspended sentence, and the newspaper was fined.

In July security officials detained a journalist for *Al-Balagh* newspaper for 6 days for reporting that an Iraqi teacher had raped six female students in Amran governorate's College of Education. The story turned out to be false, and the news-

paper later apologized for circulating it. Also in July, security officials harassed the correspondents of the London-based Arabic Sayyidat and the United Arab Emirates-based Sahrat Al-Khalij magazines when they tried to report on alleged serial killings at Sana'a University's medical school (see Section 5).

In August Saif Al-Hadhri, the editor in chief of Al-Shumu newspaper, was convicted of libel in connection with a series of articles reporting high-level corruption in the Ministries of Electricity, Agriculture, Education and Finance. The judge fined Al-Hadhri \$437 (70,000 riyals) and suspended him for 7 months. Al-Hadhri also was ordered to pay the Minister and Deputy Minister of Education's legal fees and \$12,500 (2 million riyals) in compensation. Al-Hadhri appealed the judgment, and the case was pending at year's end. In July Al-Hadhri was abducted from his office for 1 day by 30 armed men, whom he claimed were security officials.

In February 1999, the Ministry of Information closed Al-Shoura, the newspaper of the Islamist opposition party Union of Popular Forces (UPF), as well as a new, competing version of the same newspaper. The second version of Al-Shoura appeared following an ideological split in the UPF. Under the Press Law, it is illegal for more than one newspaper to use the same name. Some journalists allege that the Government financed the second Al-Shoura in order to create a pretext to shut down the outspokenly critical original Al-Shoura. A court allowed the original Al-Shoura to resume publication and upheld the suspension of the second Al-Shoura, but an appeals court later ordered the original newspaper to cease publication pending the Supreme Court's decision as to which faction had the right to Al-Shoura's name. The original Al-Shoura resumed publication in August.

In August 1999, journalist and lawyer Nabil Al-Amoudi was brought before the Abyan preliminary court for writing an article critical of the Government and the human rights situation in the country. The case still was pending at year's end.

In August 1999, security officials detained Jamil Al-Samit, a journalist for the Taiz-based official newspaper Al-Jumhuriyah, for writing an article about the use of excessive force by the military in putting down a civilian protest in the village of Quradah. He was detained in prison for several weeks.

The Yemeni Journalists Syndicate defends freedom of the press and publicizes human rights concerns. For example in September it sponsored a symposium on the media and human rights. Critics claim that the Syndicate is ineffective because it has too many nonjournalist members who support government policy. In 1999 several independent and opposition party journalists formed a rival union, the Committee for the Defense of Journalists, under the leadership of Hisham Ba Sharahil, the publisher of Al-Ayyam newspaper, to defend more vigorously journalists harassed by the Government.

Customs officials confiscate foreign publications regarded as pornographic or objectionable because of religious or political content. In April PSO officials in Taiz detained Faysal Said Fara'a, the director of a private cultural center, for a day of questioning following his alleged receipt of banned books dealing with the opposition. There were no reports during the year that the Ministry of Information delayed the distribution of international Arabic-language dailies in an effort to decrease their sales in the country, as had occurred in previous years. However, authorities monitor foreign publications, banning those that they deem harmful to national interests. For example in April the owner of a Sana'a bookstore was arrested by the PSO for selling banned copies of an edition of the London-based Arabic magazine Al-Magalah, which featured a cover story on President Saleh's son Ahmed, the Commander of the Republican Guard.

An author must obtain a permit from the Ministry of Culture to publish a book. Most books are approved, but the process is time-consuming for the author. The author must submit copies of the book to the Ministry. Officials at the National Library must read and endorse the text. It is then submitted to a special committee for final approval. If a book is not deemed appropriate for publication, the Ministry simply does not issue a decision. Publishers usually do not deal with an author who has not yet obtained a permit.

An estimated 16,000 persons use the Internet, and 5,371 persons subscribe to it. The Government does not impose restrictions on Internet use, but most persons find that equipment and subscriptions costs are prohibitively high. Teleyemen, a parastatal company under the Ministry of Telecommunications, is the country's sole Internet service provider. With the exception of mowj.com, the web site of the Yemeni National Opposition Front, the Government does not block politically oriented web sites (see Section 1.f.).

Academic freedom is restricted somewhat because of the extreme politicization of university campuses. A majority of professors and students align themselves with either the ruling GPC party or the opposition Islaah party. Each group closely monitors the activities of the other. Top administrative positions usually are awarded

to political allies of these two major parties. There were several clashes between GPC- and Islaah-affiliated students during the year, but no serious violence.

b. Freedom of Peaceful Assembly and Association.—There are no constitutional restrictions on the right to assemble peacefully; however, the Government limited this right in practice. The Government claims that it bans and disrupts some demonstrations to prevent them from degenerating into riots and violence. The Government requires a permit for demonstrations, but it issues them routinely. In August police in Aden briefly detained five members of the YSP who convened a political meeting without a permit. Government informers monitor meetings and assemblies. In September 1998, following violent demonstrations earlier that year, the Government sent a draft law to Parliament that would impose significant limitations on the right to assemble and to demonstrate. The draft law was criticized by many lawyers, human rights activists, and members of Parliament. The Parliament continues to withhold action on this proposed law. Draft provisions of a new Police Law would have permitted police to open fire on gatherings of five or more persons if police suspected imminent violence or criminal activity; however, the provisions were removed after a campaign by human rights organizations, opposition political parties, and the press (see Section 1.d.).

Although it banned a similar demonstration in 1999, in April the Government allowed the opposition to organize a rally in Mukallah in Hadramaut governorate to commemorate the deaths of the two persons who were killed by police during violent demonstrations there in April 1998. Five thousand persons reportedly attended the rally. Also in April, the Government detained 19 opposition activists in Abyan governorate for questioning for several days; the opposition claims this was done to prevent them from holding a similar rally. In May hundreds of persons in Al-Dalah governorate peacefully marched to protest Government security policies and to demand an investigation into the death of a student during a violent confrontation between security forces and armed citizens earlier in the month (see Section 1.a.). During the year, the opposition organized mass demonstrations in Al-Dalah and Lahaj governorates and a number of smaller marches throughout the country. In May thousands of students at Sana'a University organized a peaceful march to protest the university administration's delay in investigating alleged serial killings at the medical school (see Section 5). In September 300 women demonstrated in Al-Ghaida in Al-Mahra governorate to protest the preface to a book of statistics on the governorate written by the governor, which they believed contained derogatory comments about residents of the governorate. In November an estimated 30,000 to 50,000 citizens, mostly women and children, peacefully demonstrated in Sana'a to protest Israeli actions against Palestinians in Israel, the West Bank, and Gaza during the fall.

There are no constitutional restrictions on the freedom of association, and the Government generally respects this right in practice. Associations must obtain an operating license from the Ministry of Social Affairs or the Ministry of Culture, which usually is a routine matter.

c. Freedom of Religion.—The Constitution declares that Islam is the state religion and also provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. Followers of other religions are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress; however, the Government forbids conversions, requires permission for the construction of new places of worship, and prohibits non-Muslims from proselytizing. The Constitution states that Shari'a is the source of all legislation.

Under Islam the conversion of a Muslim to another religion is considered apostasy, a crime punishable by death. There were no reports of cases in which the crime was charged or prosecuted by government authorities. In January the director of the Aden office of the U.N. High Commissioner for Refugees (UNHCR) received a report that a Somali refugee, Mohammed Haji, who allegedly had converted from Islam to Christianity after his arrival in the country, had been arrested for apostasy. The UNHCR's investigation found that the refugee had been detained previously by police in Aden and at the UNHCR's Al-Jahin camp. The refugee was registered with the UNHCR under a Christian name but maintained an address in Sana'a under a Muslim name. He is married to a Muslim woman and has an Islamic marriage certificate. The UNHCR believed that authorities detained the refugee on criminal rather than religious grounds. In August Haji's case was dismissed, and he was remanded to immigration detention. Later that month, UNHCR resettled Haji and his family to New Zealand.

Official government policy does not prohibit or provide punishment for the possession of non-Islamic religious literature. However, there are unconfirmed reports that foreigners, on occasion, have been harassed by police for possessing such literature. In addition, some members of the security forces occasionally censor the mail of

Christian clergy who minister to the foreign community, ostensibly to prevent proselytizing.

There are unconfirmed reports that some police, without the authorization or knowledge of their superiors, on occasion have harassed and detained persons suspected of apostasy in order to compel them to renounce their conversions.

The Government does not allow the building of new non-Muslim public places of worship without permission; however, in 1998 the country established diplomatic relations with the Vatican and agreed to the construction and operation of a "Christian center" in Sana'a. The Papal Nuncio, resident in Kuwait, presented his credentials to the Yemeni Government in March. Yemen's ambassador to Italy was accredited to the Vatican in July 1999. President Saleh paid an official visit to the Vatican at the time of his state visit to Italy in April.

Public schools provide instruction in Islam but not in other religions. However, almost all non-Muslims are foreigners who attend private schools.

In February the Government revised its travel regulations to allow Yemeni-origin Jews on third-country passports to travel to Yemen, as well as Yemeni-origin Israelis with laissez-passer travel documents. The first such visitors arrived in March.

The Government has taken steps to prevent the politicization of mosques in an attempt to curb extremism. Private Islamic organizations may maintain ties to pan-Islamic organizations and operate schools, but the Government monitors their activities.

Following unification of North and South Yemen in 1990, owners of property previously expropriated by the Communist government of the former People's Democratic Republic of Yemen, including religious organizations, were invited to seek restitution of their property. However, implementation of the process, including for religious institutions, has been extremely limited, and very few properties have been returned to any previous owner.

Nearly all of the country's once sizable Jewish population has emigrated. There are no legal restrictions on the few hundred Jews who remain, although there are traditional restrictions on places of residence and choice of employment (see Section 5).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration and Repatriation.—The Government places some limits on freedom of movement. In general the Government does not obstruct domestic travel, although the army and security forces maintain checkpoints on major roads. There were a few reports during the year that security forces at checkpoints killed or injured persons whom they believed were engaging in criminal activity and resisting arrest (see Section 1.a.).

In certain areas, armed tribesmen occasionally man checkpoints alongside military or security officials, and subject travelers to physical harassment, bribe demands, or theft.

The Government does not obstruct routinely foreign travel or the right to emigrate and return. However, journalists must have a permit to travel abroad. There were no reports that the restriction on journalists was enforced during the year (see Section 2.a.). Women must obtain permission from a male relative before applying for a passport or departing the country.

Immigrants and refugees traveling within the country often are required by security officials at government checkpoints to show that they possess resident status or refugee identification cards.

The law does not include provisions for granting refugee or asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. However, the Government continues to grant refugee status on a group basis to Somalis who have arrived in Yemen after 1991.

In 1999 the Government offered asylum to 9,311 Somalis, who fled the fighting in that country. This brought the total number of registered Somali refugees in the country to 55,186. The Government also cooperated with the UNHCR in assisting refugees from Eritrea (2,500 persons), Ethiopia (2,403 persons) and various other countries (362 persons). The Government permitted the UNHCR to monitor the situation of 2,000 Iraqis in Yemen.

Approximately 32,862 Somali refugees have been integrated into society and are no longer receiving food or financial assistance from the UNHCR. However, they still are eligible for medical treatment at UNHCR facilities in Aden and Sana'a. In addition, the UNHCR provides small loans to refugee women who wish to initiate income-generating activities. Somali-language education is provided in urban areas of Aden.

The UNHCR provides food and medical assistance for up to 12,408 Somalis and Ethiopians in a refugee camp at Al-Jahin in Abyan governorate. Children receive schooling in the camp, and adults are eligible for vocational training. The Govern-

ment in 1998 approved a new UNHCR facility to be built at a site in Lahaj governorate; the facility still was under construction at year's end. The UNHCR, in coordination with the Government, issues identification cards to Somali refugees and recognized refugees of other nationalities. The Government has developed plans to establish a national refugee commission composed of the Ministries of Interior and Foreign Affairs, and the Immigration Authority.

The UNHCR reports that the Government consults with it prior to returning illegal immigrants to their countries of origin in order to avoid the involuntary repatriation of refugees with a credible fear of persecution. There were no reports of the forced return of persons to a country where they feared persecution. The UNHCR facilitated the voluntary repatriation of some Eritrean and Ethiopian refugees, as well as the voluntary return of 1,856 Somali refugees to areas of Somalia that are considered safe. Additionally, the UNHCR in Yemen, in collaboration with several Western governments, resettles vulnerable refugees.

Section 3. Respect for Political Rights: The Right of Citizen to Change Their Government

The Constitution provides citizens with the right to change their government; however, there are significant limitations in practice. The Government by law is accountable to the Parliament; however, the Parliament is not yet an effective counterweight to executive authority. Decisionmaking and real political power still rest in the hands of the executive branch, particularly the President. In addition, the Constitution prohibits the establishment of parties that are contrary to Islam, oppose the goals of the Yemeni revolution, or violate the country's international commitments.

The President appoints the Prime Minister, who forms the Government. The Cabinet consists of 24 ministers. Parliament is elected by universal adult suffrage; the first such election was held in 1993. International observers judged the most recent parliamentary elections (held in 1997) as "reasonably free and fair," despite some problems associated with the voting.

Ali Abdullah Saleh, the President and leader of the GPC, was elected to a 5-year term in the country's first nation-wide direct presidential election in September 1999, winning 96.3 percent of the vote. The Constitution provides that the President be elected by popular vote from at least two candidates endorsed by Parliament, and the election was generally free and fair; however, there were some problems, including the lack of a credible voter registration list. In addition the President was not opposed by a truly competitive candidate because the candidate selected by the leftist opposition coalition did not receive from the GPC-dominated Parliament the minimum number of votes required to run (the other opposition party chose not to run its own candidate, despite its seats in Parliament). The President's sole opponent was a member of the GPC. There was no significant violence associated with the election.

The President has the authority to introduce legislation and promulgate laws by decree when Parliament is not in session. Decrees must be approved by Parliament 30 days after reconvening. In theory if a decree is not approved, it does not become law; in practice, a decree remains in effect unless it is later affirmatively rejected by Parliament. Although the Constitution also permits Parliament to initiate legislation, to date it has not done so. Parliament generally is relegated to debating policies that the Government already has submitted, although it sometimes successfully revises or blocks draft legislation submitted by the Government. Despite the fact that the President's party enjoys an absolute majority, Parliament has rejected or delayed action on major legislation introduced by the Government, and on occasion it has forced significant modification. The Parliament also has criticized strongly the Government for some actions, including the lifting of subsidies that led to widespread violence in June 1998. Ministers frequently are called to Parliament to defend actions, policies, or proposed legislation, although they may and sometimes do refuse to appear. Parliamentarians at times are sharply critical during these sessions. Parliamentarians and parliamentary staff attended foreign NGO-sponsored training workshops designed to increase their independence and effectiveness.

The President is advised by the 59-member Consultative Council, a board of appointed notables chaired by a former prime minister. The Council advises the President on a range of issues but has no constitutional powers.

Formal government authority is centralized in Sana'a; many citizens, especially in urban areas, complain about the inability of local and governorate entities to make policy or resource decisions. Responding to these concerns, in January the Parliament passed the government-submitted Local Authority Law. The new law, considered by the Government as an important part of its ongoing democratization program, is intended to decentralize authority by establishing locally elected district

and governorate councils. The councils would be headed by government-appointed governors. The first elections for the councils were scheduled for February 2001.

On November 19, Parliament approved several amendments to the Constitution, including amendments that would extend the terms of Members of Parliament from 4 to 6 years and the President from 5 to 7 years, allow the President to dissolve Parliament without a referendum in rare instances, abolish the President's ability to issue parliamentary recess decrees, and transform the Consultative Council into a presidentially appointed Shura Council with limited legislative and candidate approval powers. The amendments were to be approved in a national referendum scheduled for February 2001.

In some governorates, tribal leaders exercise considerable discretion in the interpretation and enforcement of the law. Central government authority in these areas often is weak.

The multiparty system remains weak. The GPC dominates the Parliament, and Islaah is the only other party of significance. All parties must be registered in accordance with the Political Parties Law of 1991, which stipulates that each party must have at least 75 founders and 2,500 members. Some oppositionists contend that they are unable to organize new parties because of the prohibitively high legal requirements on the minimum number of members and leaders. Twelve parties participated in the 1997 elections, compared with 16 in 1993. The YSP and several smaller parties boycotted the 1997 elections, leading to lower voter turnout in the south. These same parties also boycotted the country's first nationwide direct presidential election in September 1999. There was no significant violence associated with this election. Two new parties were established in 1999: The Yemeni Green Party and the Union of Democratic Forces.

The Government provides financial support to political parties, including a small stipend to publish their own newspapers. However, the YSP claims that the Government has yet to return the assets it seized from the party during the 1994 civil war.

Although women vote and hold office, these rights often are limited by cultural norms and religious customs, and women are underrepresented in Government and politics. Two women were elected to the Parliament in 1997 (the same number as in 1993), and an increasing number hold senior leadership positions in the Government or in the GPC. Voter registration of women is less than half that of men. Many Akhdam, a small ethnic minority that may be descendants of African slaves, are not permitted to participate in the political process, mainly due to their inability to obtain citizenship. There no longer are any credible reports that citizen members of religious minorities are not permitted to participate in the political process.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The concept of local nongovernmental human rights organizations is relatively new, with the first groups forming only in the years since unification. Several groups held workshops and other activities during the year without government interference and often with government support.

The Government cooperates with NGO's, although NGO's complain that there is a lack of response to their requests from government officials. The Government's ability to be responsive is limited in part by a lack of material and human resources. In 1998 the Government introduced a new draft law for regulating the formation and activities of NGO's. While more liberal than the law it is designed to replace, the proposal still contains significant limitations on such organizations. The Parliament again refused to take any action on the proposed new law during the year.

The Taiz-based Human Rights Information and Training Center (HRITC), perhaps the country's most respected domestic human rights NGO, places particular emphasis on education and NGO training. During the year, the HRITC sponsored numerous public lectures, training workshops, and conferences, and participated in several meetings of the international human rights community. The HRITC publishes the quarterly human rights journal *Our Rights* and regularly prints and distributes a brochure entitled *Know Your Rights*. During the year, the HRITC also published several works, including a translation of international human rights documents and laws, a book on violence against women, and a study on the role of women in local NGO's. Several donors have supported the HRITC. The HRITC, in cooperation with a foreign embassy, coordinated the series of events conducted by Penal Reform International from September 1998 to February 1999 (see Section 1.c.). The HRITC did not conduct any investigations into alleged human rights abuses during the year.

The Organization for the Defense of Human Rights, a lawyers' group formed in 1999 by attorney and parliamentarian Mohamed Naji Alao, discovered that several

illegal private prisons were being operated at government facilities in Sana'a. He reported them to the President, who immediately ordered the unlawful prisons closed and offenders arrested (see Section 1.c.).

The Yemeni Organization for the Defense of Liberties and Human Rights is based in Aden. Although the organization continued to suffer from a lack of funds, it actively publicized human rights abuses, particularly in the south, and provided support to new human rights NGO's.

The activities of Al-Nushataa, or The Activists, a group formed in 1999 by former members of the Yemeni Human Rights Organization (YHRO), were limited to organizing a children's parliament, which familiarized secondary school children with the country's legislature. The activities of the National Center for Human Rights and Democratic Development (NCHRDD) were limited to an inspection tour of several Sana'a police stations.

In 1998 and 1999, Penal Reform International (PRI), a London-based NGO, conducted a fact-finding mission to Yemen and, with the support of a foreign embassy and the HRITC, organized prison management training workshops for prison and security officials. PRI identified several issues of concern, including the mistreatment of prisoners, lack of education and resources for prison officials, and unsanitary and overcrowded conditions.

Amnesty International, Human Rights Watch, the Parliament of the European Union, and the Committee to Protect Journalists observe the country closely. The International Committee of the Red Cross (ICRC) maintains a resident representative. The Government has given these groups broad access to government officials, records, refugee camps, and prisons. The Government had acknowledged some abuses that were alleged in a 1997 Amnesty International report and rejected other allegations. Amnesty International's follow-up report, issued in July 1999, criticized the Government for not keeping its promise to investigate some of these abuses. The Government claims that it responded to Amnesty International and passed the results of its investigations to the UNCHR, but that the information the organization provided was inadequate for effective investigation and conclusive action.

In February the Government hosted a major symposium of the UNCHR, chaired by U.N. High Commissioner Mary Robinson, on the human rights aspects of international development. Robinson signed a Memorandum of Intent for a technical assistance grant of \$300,000, half of which would be used to fund a resident UNCHR consultant who, working under the umbrella of the UNDP, would serve as an advisor to the Supreme National Committee on Human Rights and oversee UNCHR programs in the country.

The YHRO is a local human rights group headquartered in Sana'a, with branches in seven other cities. It was founded by the Government. Oppositionists as well as some human rights experts have viewed its findings as unobjective. The head of the YHRO, a member of the judiciary, was transferred from his post as head of the Sana'a Court of Appeals to the Dhamar Court of Appeals in 1998. This was seen by some observers as a demotion or an attempt by the Government to marginalize the judge, who was seen as too independent on human rights questions.

The Supreme National Committee for Human Rights, which was formed in 1997 and reports to the Deputy Prime Minister/Minister of Foreign Affairs, is responsible for ensuring that the country meets its obligations with respect to implementing international human rights conventions and investigating specific instances of abuse. The Committee views using education as a means to effect cultural change as its highest priority. To this end, it continued during the year to seek donor support for a project to incorporate human rights education into secondary school curricula and to provide 1-day human rights workshops for police officers, which it began in 1999. The committee has been less active in investigating specific cases of abuse. Many persons alleged that it has not followed up on its stated commitment to investigate allegations of human rights violations. For example, the committee has not investigated the alleged torture of Naji Saleh Al-Khowlani during detention by police in Sana'a in 1999 (see Section 1.c.), and it declined to investigate the case of Wadia Al-Shaibani, who reportedly died in late 1997 while in the custody of security forces in Aden (see Section 1.a.). In the latter case, it accepted the official coroner's report of death by suicide. The committee conducted no investigations of alleged human rights violations during the year, claiming that it had received no such reports. The committee continues to be hampered by a lack of human and material resources.

However, the committee has been active on prison reform. In January it led a government initiative to establish and, with the help of private sector contributions, to finance a special "charity fund" to be used to enable the release of prisoners who, in keeping with tribal or Islamic law, were being held in prison pending payment of restitution to their victims, despite having completed their sentences. The com-

mittee participated in the subsequent inspections conducted to identify prisoners whom the fund could help and to assess prison conditions (see Section 1.c.). Working with the National Women's Committee, the committee during the year developed a plan to establish a shelter in Sana'a that would house and provide vocational education for 50 abandoned women. The committee is seeking donor assistance and hopes to establish additional shelters in other governorates. In 1999 following an inspection of Sana'a central prison, the committee arranged for minors who were incarcerated with adults to be incarcerated separately in two age groups: 11 to 14 years old and 15 to 18 years old. Fifty juvenile inmates were moved from the prison to an orphanage run by the Ministry of Social Affairs, where they now attend school and participate in other activities (see Sections 1.c. and 4). The committee also initiated a project, with the support of local businessman, to build the country's first youth reformatory, but still is seeking financing to purchase land on which to build the reformatory (see Section 5).

In October the Human Rights Committee of the President's Consultative Council, in cooperation with the NCHRDD, inspected several police stations in Sana'a to determine whether police were following proper procedures and to develop recommendations for the Minister of Interior on training for police officers. The Committee has had limited success in investigating human rights abuses and conducted no other investigations during the year.

The Parliament's human rights committee in the past has investigated some reports of human rights abuses, but its activities during the year were limited to participating in various prison inspections. The committee's chairman claims that he would like to increase the activities of the committee, especially in the area of press freedoms, but cites lack of official and financial support as constraints. The committee has no authority except to issue reports.

The Committee to Combat Torture is composed of 100 senior parliamentarians and party leaders, including some opposition members, but apparently was inactive during the year.

The Center for Future Studies, a think tank affiliated with the Islaah Party, issues an annual report on human rights practices, providing a wide-ranging overview of human rights. There is little follow-up to the report.

Two delegations from the UNHRC visited in late 1998. One delegation looked into what progress the Government had made on cases of "disappearances" (see Section 1.b.). The other conducted an assessment of the Government's need for technical assistance, particularly for the Supreme National Committee on Human Rights.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that "all citizens are equal in general rights and duties," and that society "is based on social solidarity, which is based on justice, freedom, and equality according to the law;" however, discrimination based on race, sex, disability, and, to a lesser extent, religion, exists. Entrenched cultural attitudes often prevent women from enjoying equal rights.

Women.—Although spousal abuse reportedly is common, it generally is undocumented. Violence against women and children is considered a family affair and usually is not reported to the police. In the country's traditional society, an abused woman would be expected to take her complaint to a male relative (rather than the authorities), who should intercede on her behalf or provide her sanctuary if required. One survey conducted by Sana'a University and the Dutch Ministry of Justice found that nearly 50 percent of the 120 women interviewed stated that they had been beaten; 1 in 5 claimed to have been threatened with death. Despite the high incidence rates reported, only 3 percent of women had ever sought help from an outsider or the police. The laws pertaining to violence against women rarely are enforced. The only institutionalized aid for victimized women is a small battered-women's shelter in Aden. The press and women's rights activists only recently have begun to investigate or report on violations of women's rights. Violence against women was the subject of a women's conference held in Aden in July and of two conferences held in 1999, and the issue became a topic of heated public debate following rumors of serial killings of female students at Sana'a University's medical school. Rumors that 16 women were murdered now appear to be unfounded; police believe the Sudanese morgue attendant now on trial for the murder of two female students fabricated accounts of having killed more. However, the press' extensive coverage highlighted authorities' dismissive treatment of the female students' concerns and a lack of interest in their security. In May 5,000 students marched to protest the university administration's handling of the case (see Section 2.b.).

The Penal Code allows for leniency for persons guilty of committing a "crime against honor," a euphemism for violent assaults or killings committed against a fe-

male for her perceived immodest or defiant behavior. Legal provisions regarding violence against women state that an accused man should be put to death for murdering a woman. However, a husband who murders his wife and her lover may be fined or imprisoned for a term not to exceed 1 year. Despite the apparent sanctioning of honor killings, most citizens, including women's activists, believe the phenomenon is not widespread. Some Western NGO's claim that the practice is more prevalent, but admit to a lack of evidence to support such claims.

Women face significant restrictions on their role in society. The law, social custom, and Shari'a discriminate against women. Men are permitted to take as many as four wives, although very few do so. By law the minimum age of marriage is 15. However, the law largely is not enforced, and some girls marry as early as age 12. In 1998 some conservative Members of Parliament attempted to eliminate the "minimum age" requirement on the grounds that parents should decide when their daughters are old enough to marry. Their draft law failed by a large majority. A 1998 draft law to raise the minimum age of marriage to 18 also failed by a large majority. The law stipulates that the wife's "consent" to the marriage is required; "consent" is defined as "silence" for previously unwed women and "pronouncement of consent" for divorced women. The husband and the wife's "guardian" (usually her father) sign the marriage contract; in Aden and some outlying governorates, the wife also signs. The practice of bride-price payments is widespread, despite efforts to limit the size of such payments.

The law provides that the wife must obey the husband. She must live with him at the place stipulated in the contract, consummate the marriage, and not leave the home without his consent. Husbands may divorce wives without justifying their action in court. A woman has the legal right to divorce; however, she must provide a justification, such as her husband's nonsupport, impotence, or taking of a second wife without her consent. However, the expense of hiring a lawyer is a significant deterrent, as is the necessity for rural women to travel to a city to present their case. A woman seeking a divorce also must repay the mahr (a portion of her bride price), which creates an additional hardship. As the mahr usually is in the hands of her family, the refusal by a family to pay the mahr effectively can prevent a divorce. The family's refusal to accept the woman back into the home also may deter divorce, as few other options are available to women. When a divorce occurs, the family home and older children often are awarded to the husband. The divorced woman usually returns to her father's home or to the home of another male relative. Her former husband must continue to support her for another 3 months, since she may not remarry until she proves that she is not pregnant.

Women who seek to travel abroad must obtain permission from their husbands or fathers to receive a passport and to travel. They also are expected to be accompanied by male relatives. However, enforcement of this requirement is irregular.

Shari'a-based law permits a Muslim man to marry a Christian or Jewish woman, but no Muslim woman may marry outside of Islam. Yemeni women do not have the right to confer citizenship on their foreign-born spouses; however, they may confer citizenship on children born in Yemen of foreign-born fathers.

According to a 1995 Interior Ministry regulation, any citizen who wishes to marry a foreigner must obtain the permission of the Ministry. A Yemeni woman wishing to marry a foreigner must present proof of her parents' approval to the Interior Ministry. A foreign woman who wishes to marry a Yemeni man must prove to the Ministry that she is "of good conduct and behavior," and "is free from contagious disease." There are no corresponding requirements for men to demonstrate parental approval, good conduct, or freedom from contagious diseases. Although the regulation does not have the force of law and is applied irregularly, some human rights groups have raised concerns about it.

The Government consistently supports women's rights and the expansion of the public role of women. The President frequently speaks publicly about the importance of women's political participation and economic development. In 1999 the Prime Minister mandated that all ministries must promote at least one woman to the director general level; at year's end, only the Interior Ministry had failed to do so, although it had initiated an aggressive campaign to recruit, train, and deploy female police officers. Several ministries have a number of female directors general. In March the Prime Minister established the Supreme Council for Women, an independent governmental body charged with promoting women's issues in the Government. With the Government's active support, bilateral and multilateral donors have initiated long-term (1994–2004) projects worth \$31 million (4.96 billion riyals) aimed at advancing vocational education and reproductive health for women and girls.

According to the most recent Government statistics (1998), 64.15 percent of women are illiterate, compared with approximately 31.25 percent of men. The fertility rate is 6.5 children per woman. Most women have little access to basic health

care. Only approximately 22 percent of births are attended by trained health-care personnel. In some cases, where clinics are available, women do not use them because they are unable to afford them or reach them from their remote villages, have little confidence in them, or their male relatives or they themselves refuse to allow a male doctor to examine them. Donor-funded maternal and child health programs attempt to address these issues through programs designed to train midwives who serve rural populations.

In general women in the south, particularly in Aden, are better educated and have had somewhat greater employment opportunities than their northern counterparts. However, since the 1994 civil war, the number of working women in the south appears to have declined, due not only to the stagnant economy but also to increasing cultural pressure from the north.

The National Women's Committee (NWC), a government-sponsored semi-independent women's association, promotes female education and civic responsibility through seminars and workshops and by coordinating donors' programs. The committee's chairwoman sits on the Prime Ministerial Supreme Council for Women. There are a number of recently formed NGO's working for women's advancement, including the Social Association for Productive Families, which promotes vocational development for women; the Women and Children's Department of the Center for Future Studies, which organizes seminars and publishes studies on women and children; the Woman and Child Development Association, which focuses on health education and illiteracy; and the Yemeni Council for Motherhood and Childhood, which provides microcredit and vocational training to women.

Children.—While the Government has asserted its commitment to protect children's rights, it lacks the resources necessary to ensure adequate health care, education, and welfare services for children. The UNDP estimates that 30 percent of children are malnourished. The infant mortality rate in 1999 was 75 deaths per 1,000 births, down from 105 per 1,000 in 1998. Male children receive preferential treatment over female children; after the age of 1, male children have a 12 percent greater chance of survival than females, a result of the comparative neglect of female children.

The law provides for universal free education for 9 years, which is compulsory, but this provision is not enforced. Many children, especially girls, do not attend primary school. Education for females is not encouraged in some tribal areas, where girls often are kept home to help their mothers with child care, housework, and farm work. According to UNICEF's "Report on Children and Women in Yemen: 1998," an estimated 45 percent of primary-school-age children (ages 6 to 15) do not attend school. Some rural areas have no schools for their school-age population. In 1998 to encourage girls' attendance at school, the Government passed a law that eliminated school fees and the requirement of uniforms for girls. According to the UNICEF report, enrollment of girls in school increased by 4 percent in 1998. Enrollment of boys declined 10 percent because increasing numbers of older boys from poor families left school to work.

In 1999 following an inspection of Sana'a central prison, the Supreme National Committee for Human Rights arranged for minors who previously had been incarcerated with adults to be incarcerated separately in two age groups: 11 to 14 years old and 15 to 18 years old. Fifty juvenile inmates were moved from the prison to an orphanage run by the Ministry of Social Affairs, where they now attend school and participate in other activities (see Sections 1.c. and 4). The Committee also initiated a project, with the support of local businessmen, to build the country's first youth reformatory, but still is seeking financing to purchase land on which to build the reformatory (see Section 4).

Child marriage is common in rural areas. Although the law requires that a girl be 15 to marry, the law is not enforced, and marriages of girls as young as age 12 occur.

Female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced by some citizens. According to a 1997 demographic survey conducted by the Government, nearly one-fourth (23 percent) of women who have ever been married have been subjected to FGM. However, the prevalence of the practice varies substantially by region. Citizens of African origin or those living in communities with heavy African influence are more likely to practice FGM. For example, according to the survey, approximately 69 percent of women living in coastal areas were subjected to FGM, compared with 15 percent in mountainous regions, and 5 percent in the plateau and desert regions. The procedure is confined mainly to excision, with infibulation being practiced only among East African immigrants and refugees. FGM rarely is reported among Shaf'ai Sunnis, and the Zaydi Shi'a reputedly do not practice it at all. The Government's publication of the data on FGM was an important first step in ad-

addressing this problem; however, while some government health workers and officials actively and publicly discouraged the practice, the Government has not proposed legislation to outlaw it nor have local women's groups adopted the problem as a major concern.

In January the Prime Minister established the Higher Council of Motherhood and Childhood (HCMC), a semi-autonomous inter-ministerial entity responsible for formulating policy and programs to improve the status of children. The HCMC participates in the World Bank's Child Development Program and the Arab Council for Childhood and Development's program for street children.

People with Disabilities.—Persons with mental and physical disabilities face distinct social prejudices, as well as discrimination in education and employment. In 1998 the Government mandated acceptance of disabled students in schools, exempted them from paying tuition, and required that schools be made more accessible to disabled students; however, it is unclear to what extent these laws have been implemented. There is no national law mandating the accessibility of buildings for the disabled. Some disabled persons are reduced to begging to support themselves. During the year, donors financed the establishment of three new schools for the disabled in Taiz governorate. Mentally ill patients, particularly those who commit crimes, are imprisoned and even shackled when there is no one to care for them. Persons with mental problems sometimes are arrested without charge and placed in prisons alongside criminals (see Section 1.c.). The ICRC, in cooperation with the Yemeni Red Crescent Society, built and now staffs separate detention facilities for mentally disabled prisoners. These facilities are located in Sana'a, Ibb, and Taiz, and collectively are able to care for a population of 300 persons.

The Handicapped Society, the country's largest NGO involved in assisting the disabled, was founded in 1988 and has branches in 13 governorates. Funded by international donors (primarily the Swedish organization Radda Barnen) and a modest annual grant from the Government, the Handicapped Society provides rehabilitation assistance and vocational training, and sponsors cultural and sports activities for disabled persons. The Ministry of Education has assigned three teachers to teach students at the disabled-accessible classrooms at the Society's Sana'a branch. Believing that the needs of disabled women were not being addressed adequately by the Handicapped Society, activists in 1998 established with government support the Challenge Society. The Challenge Society provides 85 disabled females between the ages of 6 and 30 with medical care, support services, and vocational training. In March three disabled teenagers toured the country on specially adapted bicycles and, supported by the Ministry of Youth and Sports and private sector contributions, took their bike tour to several Arab countries.

Religious Minorities.—Apart from a small but undetermined number of Christians and Hindus of South Asian origin in Aden, Jews are the only indigenous religious minority. Their numbers have diminished significantly—from several tens of thousands to a few hundred due to voluntary emigration over the past 50 years. Although the law makes no distinction, Jews traditionally are restricted to living in one section of a city or village and often are confined to a limited choice of employment, usually farming or handicrafts. Jews may, and do, own real property.

Christian clergy who minister to the foreign community are employed in teaching, social services, and health care. Occasionally the security authorities harass such clergy by censoring their mail, ostensibly to prevent proselytizing (see Section 2.c.).

In July 1998, a gunman killed three nuns belonging to the Sisters of Charity order in Hodeidah. The Government took swift action and immediately arrested the individual. The Government determined that he was deranged and committed him to a psychiatric institution.

A hospital in Jibla operated by the Baptist Church has experienced occasional harassment from local Islamic extremists who feared that the hospital might be used to spread Christianity. There have been no reports of threats of violence by extremists in several years.

National/Racial/Ethnic Minorities.—Citizens with a noncitizen parent, called "muwalladin," sometimes face discrimination in employment and in other areas. Persons who seek employment at Sana'a University or admission to the military academy by law must demonstrate that they have two Yemeni parents. Nonetheless, many senior government officials, including members of Parliament and ministers, have only one Yemeni parent. In some cases, naturalization of the non-Yemeni parent is sufficient to overcome the "two-Yemeni-parent" requirement.

A small group of persons claiming to be the descendants of ancient Ethiopian occupiers of Yemen who later were enslaved, are considered the lowest social class. Known as the "Akhdam" (servants), they live in squalor and endure persistent social discrimination. Beginning in September 1999, the Government's Social Fund for Development (SFD) initiated a program for "special needs groups," which focused par-

ticularly on the Akhdam. During the year, the SFD conducted an education project for Akhdam children in Hodeidah governorate, provided support to an NGO conducting field research on Akhdam needs in Sana'a governorate, and improved the quality of the water supply and built two classrooms for the Akhdam community in Taiz governorate.

There have been reports by human rights groups that some immigrants of African origin have difficulty in securing Interior Ministry permission to marry Yemeni citizens. An Interior Ministry regulation requires that marriages of citizens and foreigners be approved in advance by the Ministry (see also Section 1.f.).

Tribal violence continued to be a problem during the year, and the Government's ability to control tribal elements responsible for kidnappings, shootings, and other acts of violence remained limited. In January 22 persons were killed and 35 injured in tribal disputes in Shabwa and Al-Baida governorates. In one incident, 10 persons were killed and 3 injured when a fight at school between 2 children from different tribes escalated into violence. In another incident, a member of the Ba Haider tribe killed a fellow tribesman in retaliation for the killing of his father 20 years ago. The Nehm and Al-Haymah tribes also are involved in an ongoing violent feud in which several persons have been killed. In February tribesmen from the Nehm blocked the Sana'a Highway, opening fire on and killing three of the police officers dispatched to dismantle the roadblock. Up to 16 persons reportedly were killed in the ensuing fighting. The Deputy Governor of Sana'a was shot to death in August in what police believe was a tribally related revenge killing. Tensions, which periodically escalate into violent confrontations, continue between the Government and the Khowlan and other tribes in Marib governorate.

Section 6. Worker Rights

a. The Right of Association.—The Constitution provides that citizens have the right to form unions; however, this right is restricted in practice. The Government seeks to place its own personnel in positions of influence inside unions and trade union federations. The 1995 Labor Law (amended in 1997) provides both for the right to form unions and for the right to strike.

The Yemeni Confederation of Labor Unions (YCLU) remains the sole national umbrella organization. The YCLU claims 350,000 members in 15 unions and denies any association with the Government, although it works closely with the Government to resolve labor disputes through negotiation. Observers suggest that the Government likely would not tolerate the establishment of an alternative labor federation unless it believed such an establishment to be in its best interest.

By law civil servants and public sector workers, and some categories of farm workers, may not join unions. Only the General Assembly of the YCLU may dissolve unions. The law provides equal labor rights for women, and it confirms the freedom of workers to associate. The Labor Law does not stipulate a minimum membership for unions, nor does it limit them to a specific enterprise or firm. Thus, citizens may associate by profession or trade.

Strikes are not permitted unless a dispute between workers and employers is "final" and "incontestable" (a prior attempt must have been made to settle through negotiation or arbitration). The proposal to strike must be submitted to at least 60 percent of all concerned workers, of whom 25 percent must vote in favor of the proposal. Permission to strike also must be obtained from the YCLU. Strikes for explicit "political purposes" are prohibited. In practice the law tends to discourage strikes.

There were several small strikes during the year. In February a group of school teachers in Taiz governorate struck for a day because they had not received their January salaries. Also in February, Sana'a municipality garbage collectors struck for a day, demanding payment of overdue wages and a salary increase. In June the staff of Sana'a University struck for a week to demand an increase in their salaries and overdue bonus payments. In August the staff of Al-Thawra public hospital in Sana'a struck for 10 days for higher wages. In September workers at the Yemen Hunt Oil Company in Marib governorate struck for a wage increase. There were no reports of violence in connection with these strikes.

The YCLU is affiliated with the Confederation of Arab Trade Unions and the formerly Soviet-controlled World Federation of Trade Unions.

b. The Right to Organize and Bargain Collectively.—The 1995 Labor Law provides workers with the right to organize and bargain collectively. The Government permits these activities; however, it seeks to influence them by placing its own personnel inside groups and organizations. All collective bargaining agreements must be deposited with and reviewed by the Ministry of Labor, a practice criticized by the International Labor Organization (ILO). Agreements may be invalidated if they are "likely to cause a breach of security or to damage the economic interests of the

country.” Despite these restrictions, several such agreements exist in fact. Unions may negotiate wage settlements for their members and may resort to strikes or other actions to achieve their demands. Public sector employees must take their grievances to court.

The law protects employees from antiunion discrimination. Employers do not have the right to dismiss an employee for union activities. Employees may appeal any disputes, including cases of antiunion discrimination, to the Ministry of Labor. Employees also may take a case to the Labor Arbitration Committee, which is chaired by the Ministry of Labor and also consists of an employer representative and a YCLU representative. Such cases often are disposed favorably toward workers, especially if the employer is a foreign company.

There are no export processing zones in operation; an EPZ is planned for Aden.

c. Prohibition of Forced or Compulsory Labor.—The Constitution prohibits forced or compulsory labor, and there were no reports of its practice. The law does not prohibit forced or bonded labor by children specifically, but such practices are not known to occur.

d. Status of Child Labor Practices and Minimum Age for Employment.—Child labor is common, especially in rural areas. Many children are required to work in subsistence farming because of the poverty of their families. Even in urban areas, children work in stores and workshops, sell goods on the streets, and beg. The law does not prohibit forced or bonded labor by children specifically, but such practices are not known to occur (see Section 6.c.).

The established minimum age for employment is 15 in the private sector and 18 in the public sector. By special permit, children between the ages of 12 and 15 may work. The Government rarely enforces these provisions, especially in rural and remote areas. The Government also does not enforce laws requiring 9 years of compulsory education for children, and many school-aged children work instead of attending school, particularly in areas where schools are not easily accessible.

The results of the 1994 national census showed that 231,655 children between the ages of 10 and 14 years, or 6.5 percent of all children in that age group, were working. Experts believe that the number has increased since 1994.

After the Government ratified the ILO's Convention 182 on the Worst Forms of Child Labor in July, the Consultative Council adopted the ILO's Child Labor Strategy to address persistent child labor problems. A special council, under the leadership of the Minister of Labor, uses the strategy as a government-wide guideline for enforcing existing child labor laws and formulating and implementing new laws.

In June the Ministry of Labor signed a \$1.3 million agreement with the ILO's International Program on the Elimination of Child Labor (IPEC). Under the program, the Ministry will establish a child labor department, train teachers to make school curricula more relevant to rural children, mobilize media to discuss child labor, establish a microenterprise program to help families establish businesses that will allow their children to stay in school, and seek the support of civil society to remove children from hazardous jobs. In addition the Ministry of Insurance and Social Affairs has developed a plan to establish six centers for street children over the next 5 years.

The Ministry of Labor occasionally inspects factories in the major population areas. Ministry officials state that they lack the resources to enforce child labor laws more effectively. However, since a great percentage of the country's underage work force is in the agricultural sector in remote rural areas, it is difficult for the Government to protect most child workers.

e. Acceptable Conditions of Work.—There is no established minimum wage for any type of employment. The Labor Law states that “it shall not be permissible that the minimal level of the wage of a worker should be less than the minimal wages of government civil servants.” According to the Ministry of Labor, the average minimum wage of civil servants is approximately \$37 to \$56 (6,000 to 9,000 riyals) per month. Private sector workers, especially skilled technicians, earn a far higher wage. The average wage does not provide a decent standard of living for a worker and family. A combination of inflation and the loss of government-provided subsidies continued to erode wages.

The law specifies a maximum 48-hour workweek with a maximum 8-hour workday, but many workshops and stores operate 10- to 12-hour shifts without penalty. The workweek for government employees is 35 hours: 7 hours per day Saturday through Wednesday.

The Ministry of Labor is responsible for regulating workplace health and safety conditions. The requisite legislation for regulating occupational health is contained in the Labor Law, but enforcement is weak to nonexistent. Many workers regularly are exposed to toxic industrial products and develop respiratory illnesses. Some foreign-owned companies as well as major Yemeni manufacturers implement higher

health, safety, and environmental standards than the Government requires. Workers have the right to remove themselves from dangerous work situations and may challenge dismissals in court.

f. Trafficking in Persons.—The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, within, or through the country.